



Cicero.

THE (LIFE
OF
MARCUS TULLIUS CICERO.

BY
J. F. HOLLINGS,
AUTHOR OF THE "LIFE OF GUSTAVUS ADOLPHUS."

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TO

CYRUS R. EDMONDS, ESQ.

This Volume

IS INSCRIBED, WITH SENTIMENTS OF SINCERE RESPECT AND ESTEEM,

BY HIS OBLIGED FRIEND,

THE AUTHOR.

PREFACE.

THE Life of Cicero, by Dr. Conyers Middleton, has long enjoyed an extensive and well-merited circulation. To the classical scholar, affording, as it does, a continued commentary upon the text, in the shape of copious notes, carefully transcribed from the works of the Orator, in addition to treating upon the minutest particulars of his history then known, and containing a mass of information derived from almost every available source with respect to the leading events of his time, it must always prove a valuable aid towards a thorough acquaintance with one of the most interesting periods. Other and no less obvious merits, notwithstanding the slight drawback presented in its decided and extravagant partiality, might easily be specified. With all its excellences, however, it is a work more suited, from its elaborate character, to the learned than either to the general reader, or to the student who may be desirous of making himself acquainted with the leading events in the Life of Cicero, without possessing leisure or curiosity sufficient to enter into the more extensive field of inquiry presented by the labours of Middleton. It has been believed, therefore, that a work in a somewhat more popular form, but still conveying such information, by means of notes and references, as might prove of utility to those entering upon this department of ancient literature, without wearying his attention, would not be unacceptable to a

considerable part of the reading public. The name of Cicero himself—and the universal admiration with which his genius has been regarded in all ages—the importance of the æra in which he flourished, and the prominent part enacted by him in some of its most striking scenes. appeared to bring his life fairly within the range of subjects intended to be illustrated by the series of works constituting the “Family Library.”

In preparing the present volume, the well-known history compiled by Fabricius, and the *Fasti Hellenici* of Mr. Fynes Clinton, have been taken as the best, as well as the most comprehensive, guides for the succession and order of events. The assistance afforded by the classical historians, and the remarks of various commentators, has not been neglected, and it will be seen that the recent discoveries of Maio have furnished a few, by no means unimportant, particulars. At the same time, wherever it has been found necessary, the *Life of Cicero* by Middleton has been respectfully consulted, as well as the notes of Melmoth to his excellent translation of *Cicero's Epistles*. So ample and easily accessible, however, are the materials for a biography such as the present, that any credit on the score of research is entirely out of the question. Nor does the Author, in the least degree, pretend to such a merit: his principal labour, in this instance, has necessarily consisted in selection, not in discovery—rather in compressing the immense stock of materials at hand, than in indulging the ambition, in his case wholly unwarrantable, of adding information which the curiosity of the most eminent and unwearied scholars has for ages failed to detect.

It remains but to advert to the reasons for which the four orations known as the *Prima* and *Secunda*, *Post Reditum*, *Pro Domo Sua*, and *De Haruspicum Responsionibus*, upon which so much controversial ingenuity and so much amusing wit have been employed, have been cited as authentic documents. It may be remarked, then, that

until the dazzling commentary of Bentley upon the false epistles of Phalaris had excited in writers of less acuteness the perilous ambition of following in his track, the genuineness of these speeches was never for a moment doubted; and that although the learning of Markland, in the early part of the last century, was ably employed in endeavouring to destroy their authority, the judgment of Gesner was not long afterwards strenuously given in their favour, and that of Ernesti so confidently established upon the same side of the question, as to ensure their admission, without the least apparent scruple, into his valuable edition of Cicero's works. The daring scepticism of Wolf, from which nothing seemed at one time destined to be sacred, revived the controversy, but invested it with no greater degree of certainty. It is true, indeed, that his views have been supported by some of the most able critics of recent times, and among them by those whose judgment with respect to the productions of Cicero would be entitled to implicit deference, were it unbalanced by that of others of equal erudition, and possessed by a less evident desire of innovation. But it is equally true, on the other hand, that Lemaire, whose judicious remarks should be read by all interested in the dispute, has lately added his name to that of former believers in the authenticity of the doubted orations. At the same time the recent discovery by which the speech for Marcellus has been vindicated from the suspicion so long thrown upon it, may be considered a valuable commentary upon the confidence to be placed in the specious unbelief of later times when opposed to the less difficult credence of antiquity. Under all circumstances, while the learned are still equally divided, and like the contending armies in some of the campaigns managed according to rules of war now obsolete, seem, after a succession of skirmishes and encounters more or less obstinate, to be returning to the same ground which they respectively occupied at the commencement of the

affray ; while the most able editors among the moderns severally discover and bear willing witness to the too great self-confidence and boldness displayed by their immediate predecessors* ; it appears the safest as well as most prudent course to fall back upon authorities who, with far better means of pronouncing upon the point in question than we can possibly acquire, and with no inducement to abuse them for the purpose of misleading, have left us a testimony which, after the lapse of so many centuries, it must seem almost preposterous to attempt to shake, were we provided with much more formidable means than those which we really possess, for the purpose.

Leicester, September 4, 1839.

* "*Minore utinam judicii volubilitate et audaciâ præditum creasset rerum domina natura,*" is the wish of Orelle, in remarking upon the acknowledged genius and erudition of Schütz. See the Preface of the former.

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THE LIFE OF CICERO.

CHAPTER I.

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THE small town of Arpinum, in the territory of the Volsci, has acquired a remarkable celebrity in connexion with the ancient history of Rome, and consequently with that of the world, as the birthplace of two individuals, both destined to attain in after life the highest honours of the state and a conspicuous name in the annals of their country, although by the exercise of widely different qualities. Here, amidst circumstances of poverty and obscurity strangely contrasting with the condition of power which he afterwards reached, the ambitious and vindictive Marius entered upon an existence, whose tenour was

subsequently to be recorded in characters of blood. Here also, about fifty years after that event, six hundred and forty-eight* from the building of Rome, and a hundred and six before the Christian era, during the consulate of Quintus Servilius Cœpio and Caius Attilius Serranus,† the birth of Marcus Tullius Cicero conferred upon his native place a claim to the notice and respect of posterity, far exceeding that which the most splendid military achievements or the most successfully prosecuted career of ambition could bestow.

Whether the family of Cicero was of mean or of noble extraction, is a point which has been left, to a certain extent, undecided, by the conflicting statements of his panegyrists and his calumniators. The additional lustre which the statements of the latter, one of whom even asserts that he was the son of a fuller, would, if correct, have shed upon his memory, cannot, however, be claimed for him on the best evidence; which, certainly will not allow him to be reckoned among the number of those, whose talents have been exerted under the disadvantages of what is usually termed inferior birth, or limited circumstances. He himself speaks of his father as a person with sufficiently flourishing means to be able to devote a considerable portion of his time to literary pursuits; and Plutarch has stated, that he was entitled, according to common tradition, to claim a descent in a direct line from Tullus Attius, one of the most renowned of the ancient Volscian kings. The family of his mother Helvia is generally admitted to have been noble, and her property considerable. His first name, Marcus, had been borne both by his father and grandfather,

* Six hundred and forty-seven, according to the common computation, which is supported by the authority of the Capitoline Marbles. The chronology of Varro, which is also that of the "*Fasti Helwenici*," has been adopted throughout the present volume.

† On the third day of the nones of January, (January 3) as he himself states—*Ad Attic. viii. 5. Ad urbem iii Nonas natali meo.*

and was therefore, bestowed upon him as the firstborn of a third generation in compliance with accepted usage. The appellation of Tullius, the distinguishing title of his family, is supposed to have had a meaning analogous to "running streams" or "rivers;" and the position of their estate between the Fibrenus and the Liris, may, possibly, have given rise to its adoption. The surname, Cicero, derived from a Latin substantive signifying a vetch, (like those of the Pisones, Fabii and Lentuli from peas, beans, and lentils,) may be attributed to the skill shown by some of his forefathers in one particular branch of agriculture, an art which the ancients, as it is well known, considered among the noblest of occupations. In consequence of the qualification afforded by their property, both the father of the orator and Cicero himself were enabled to take rank with the equestrian order, as the earlier heads of their family had done before them. The prouder appellation introductory to it, that of a Roman citizen, was shared with the rest of the natives of Arpinum; on whom, after their town had been first wrested from the Volsci by the Samnites, and, at a later period, subdued by the powerful arms to which both these nations were compelled to yield, the title, accompanied with an admission into the Cornelian tribe, was bestowed, either as a mark of respect to the general martial character of the people, or, as is more probable, a bribe to ensure their future submission.

The estate on which Cicero was born, has been already represented as being situated at the confluence of the Fibrenus and Liris;—the latter a river which has acquired an independent renown from the beautiful description of Horace*. In his philosophical works, composed at a period when the toils and

* — rura quæ Liris quietâ
Mordet aquâ, taciturnus amnis.—Lib. i. 31.

anxieties of an active life had, probably, enhanced its natural beauties in his eyes, he touchingly alludes to it with all the interest which the reminiscences of infancy are usually found to excite, and that fondness instinctive to human nature, for scenes, which have witnessed what has proved to most the brightest and least troubled period of their existence. The oak of Arpinum still flourishes in the recollection of the lovers of classic literature, and the grassy island planted with poplars, and deriving a pleasant freshness from the streams which it divides, is inseparable from our recollections of the acute and polished dialogue maintained, whether in reality or in fiction, upon its shores. Near this spot his infancy and early childhood were spent under the care of parents who seem to have been in all respects qualified for their important duties. As a sister of his mother was married to C. Aculeo, a wealthy Roman of the equestrian order, who was on the most intimate terms with the celebrated orator L. Crassus, it was afterwards deemed advisable by his father to remove with him to Rome, where he for some time enjoyed all the advantages of education possessed by the sons of Aculeo; being educated together with his cousins by masters who had been recommended by Crassus, and upon a plan which the orator himself had furnished. Plutarch, with his usual fondness for omens, has recorded a supernatural intimation conveyed to his nurse, during his childhood, that his future career would be attended with honours, which the most sanguine among his relations could hardly have anticipated. But a more rational prognostic of his after greatness was displayed by his rapid and astonishing advances in every department of study, when his father, for the benefit of more public instruction, placed him for a short time in one of the larger schools of Rome. If his biographer is to be

believed, it was then no uncommon occurrence for the parents of the other pupils to frequent the place in which his precocious talents were daily exhibited, in order to ascertain, by actual observation, the truth of the reports they had heard respecting his extensive attainments and singular powers of apprehension and memory. His attention was particularly directed to the acquisition of the Greek language, which had become not only a valuable accomplishment but almost a necessary attainment, since the establishment of the Roman power in Eastern Europe and Asia, to men who might probably be called to fill official stations in those countries. The poet Archias having arrived at the house of Lucullus in Rome, when he was about five years of age, and commenced a course of instruction in rhetoric and general literature, Cicero was eventually placed under his care, although he states that he was inclined to prefer the lessons of L. Plotius, an eminent grammarian and rhetorician, whose pupils were introduced to an acquaintance with the arts he professed through the more popular medium of the Latin tongue. To Archias, with whom he was afterwards united by sentiments of personal friendship and regard, he has acknowledged that he was entirely indebted for that acute perception of the beauties of imaginative literature, and refined poetic taste, discernible throughout his writings. The pupil lived to return the obligation. Like many other preceptors, Archias is remembered for little more than his connexion with the most distinguished of his scholars, and although, at one time, eminent for compositions which were admired and celebrated throughout Asia, Greece, and Italy, now owes his principal fame to the reflected light of that imperishable oration, in which the talents of the advocate were equalled by his disinterestedness, and the splendour of the eloquence by which

it was characterised was not more striking than the gratitude by which it was prompted and adorned.

Cicero appears to have continued under the care of Archias until his sixteenth year, bestowing considerable pains upon the study of poetry, in which he was at all times ambitious of excelling, and to his success in the prosecution of which he frequently alludes, with a complacency hardly warranted by the opinions entertained upon the subject by most of the critics who have commented upon his writings. His earliest production was entitled "Glaucus Pontius," and was still extant in the days of Plutarch, who affirms that in consequence of this, and subsequent works of equal merit, he was considered not only the greatest orator, but also the first poet of Rome. He afterwards translated the "Phænomena" of Aratus, and, besides a poem called "Marius," which his friend the augur Scævola pronounced to be immortal,—thus proving himself to be little of an adept in his own profession* ;—and another entitled "Leimon," recorded the principal events of his consulate in the heroic measure. A few fragments of these productions are all by which we are now able to judge of his skill in metrical composition, or to form any opinion of the justice of the famous sarcasm of the Roman satirist †, who, however, probably intended his allusion to extend no further than to the single line against which it was expressly directed. When compared with the polished verse of the Augustan age, that of Cicero certainly appears rugged and inharmonious; but if viewed at the same time with that of Ennius and other early writers, or even with the somewhat more melodious lines of his contemporary Lucretius‡, we

* *Eaque, ut ait Scævola de fratris mei Mario, —*

Canescet sæclis innumerabilibus. — DE LEGIBUS I.

† *Antoni gladios potuit contemnere si sic*

Omnia dixisset. — JUV. X.

‡ *Born A. U. C. 659. Fasti Hellenici, iii. 136.*

shall perhaps arrive at the opinion, that, to be equitable, our censure must become more general. By the superior beauty and harmony of his prose works, Cicero, whose case is far from being without a parallel, has himself proved the greatest enemy to his own reputation as a poet. These, in consequence of the mingled grace and purity, the beauty of the thoughts, and the nameless refinements for which they are remarkable, must at all times be considered as the best standard of the Roman tongue. On his poetry no such eulogy, assuredly, can be passed; but it does not, therefore, follow, as some have assumed, that it was either frivolous or contemptible.

The age of sixteen was an important epoch in the life of a Roman, as it was generally the period at which the "*toga virilis*," or manly dress, was for the first time publicly worn in the Forum, or in other words, at which it was deemed advisable to enter upon the active duties of a citizen. Cicero performed this ceremony in the consulate of Lucius Marcus Philippus, and Sextus Julius Cæsar, and immediately attached himself to the study of the civil law with indefatigable industry. His director and guide in this pursuit was Quintus Mutius Scævola, the Augur, an eminent pleader and statesman, who had honourably filled the consular office, as well as most of the inferior dignities of the state; from whose side he describes himself as seldom having been absent during his daily attendances in the Forum. On the death of Mutius, which happened about ten years afterwards, he became the intimate friend as well as the pupil of his brother Quintus Scævola, who was also a senator of consular dignity, then in possession of the office of pontifex or high-priest, and enjoying a reputation little inferior to that of the augur, as a master of the intricacies of Roman law. But his attention was not occupied by the disputes and pleadings of the

Forum alone. During his more leisure hours, he was diligently employed in poetical pursuits, and in translating into Latin the most celebrated speeches of the Greek orators, and particularly those of Demosthenes; thus early endeavouring to imbue himself with the spirit of the mighty Athenian, whom he always proposed to his imagination as the model of excellence, and whom the testimony of all succeeding ages declares yet unequalled in the combination and due arrangement of the various qualities, which constitute the great and powerful speaker.

Italy was at this time convulsed by the Marsic, or, as it is sometimes called, the Social War, which arose from an almost general rebellion of the inferior states against the people of Rome. The former had long been compelled to increase the armies of their ambitious lords or allies with the flower of their population, and justly complained, that while their towns were drained of their inhabitants to extend the foreign conquests of the ruling city, they were studiously excluded from any participation in the advantages enjoyed by those born within its walls, or included within its municipal pale. They, therefore, demanded in return for the important services they had rendered, an admission to the full title, rights, and privileges of Roman citizens; and after they had been many times flattered with the hope of obtaining their wish by the aid of the leaders of the liberal party, and as often disappointed by the intrigues of those opposed to the measure, at length resolved upon the ultimate expedient of an appeal to arms. The war which ensued has been but imperfectly recorded by the Roman historians, who were, doubtless, unwilling to enter into any lengthened details respecting a contest which, while it continued, was doubtfully maintained, and terminated very differently from most of those in which the state had hitherto

embarked ; inasmuch as the rights contended for by the allied cities were at length reluctantly yielded to most, and finally to all ;—the honour of Rome having been first, to save appearances, satisfied by a submission in all probability but conditional.* The Marsians, Samnites, and Lucanians, old and redoubted enemies, who had lost nothing of their ancient courage, while they had added much to their discipline by their service beside the Roman legions, were foremost in the ranks of the revolters, and more than one consular army was driven before them in a contest, which gave ample exercise to the talents of Sylla, Marius, and Pompeius Strabo, the father of the celebrated Pompey, and during which, although it raged but for two years, no less than three hundred thousand men are said to have perished on the field of battle.

Cicero was an eye-witness to some of the principal events of the Marsic war ; since, although he at no time entertained much inclination for a military life, the custom of his nation almost imperatively required him to have made some essay in arms, before fully embarking in those pursuits more congenial both to his intellectual and moral temperament, which he had selected as his road to the civic honours, hitherto almost exclusively sought by eminence in the armies of the republic. He accordingly served for some months as a volunteer, first under the orders of Cn. Pompeius Strabo, and subsequently in the camp of Sylla ; and has recorded his presence at a conference between the former general and the Samnite leader, Vettius Scato, (by whom the Consul Rutilius had been defeated in the preceding year,) when, on being asked by the brother of Pompey, with whom he had once been on terms of intimacy, by what title he wished to be saluted, the Samnite uttered the well known courteous reply, “ As your friend by choice—

your enemy by necessity alone *." He was also in close attendance upon Sylla, when that chief, encouraged by the advice of the *haruspex* Posthumius, stormed the strong camp of the Samnites beneath the walls of the town of Nola †. But there is little doubt that he was not slow in seizing an early opportunity of retiring from the scenes of tumult and mortal contention, to his favourite pursuits. Before the conclusion of the Marsic war, he seems to have become once more a constant frequenter of the Forum, earnestly studying the style and address of the principal orators of the time, and especially that of the tribune Sulpicius, then famous for his eloquence and advocacy of the interests of Marius; and subsequently for his untimely death in the struggle which ended in the exile of his patron.

The seeds, indeed, which gave birth to that frightful civil contention, as yet unsurpassed in atrocity by the darkest annals of civil discord, after having long been ripening, were now on the point of producing the terrible series of convulsions by which Italy was shaken to its centre, and the freedom of Rome, if not irrecoverably lost, paralysed as by the first stroke of a disease which may be lingering in duration, but must ultimately prove mortal. The Mithridatic war had become serious enough to call for the conduct of the most able commander in the service of the republic, and the post of honour was an object of fierce dispute between the partisans of the equally sanguinary and tyrannical leaders of the popular and aristocratic factions in Rome. The first appointment of Sylla to the command was revoked by the exertions of Sulpicius in favour of Marius; but the return to the city of the former, at the head of his legions, who had not yet embarked for Asia,

* Philipp. xii. 12.

† De Divinatione, I. 33.

produced an almost immediate dispersion of his opponents, and the hasty flight of their leader;—whose concealment in the marshes of Minturnæ, and striking comment pronounced upon the emptiness and vanity of human ambition over the ruins of Carthage, as consequences of this retreat, must be fresh in the recollection of every reader. While the civil tempest was thus, for a short time, allayed, Cicero still continued in Rome, blending his legal studies with the less severe pursuit of philosophy. Philo, a pupil of Clitomachus, and one of the most successful advocates of the doctrines of the Academy, having fled from Asia into Italy, from fear of the cruelties of Mithridates, and opened a school at Rome, was soon attended by a numerous crowd of auditors, and, among others, by Cicero; although apparently without his imbibing many of the opinions of the philosopher, since he was strongly attached in early life to the tenets of the sect of Epicurus, into which he had been inducted by Phædrus, the first of his preceptors in studies of this nature*.

But the tranquillity which allowed the city leisure to discuss or listen to the doctrines of such teachers or their opponents, was of no continued duration. In a few months the consuls, Octavius and Cinna, having passed from secret jealousy and enmity to open dissension, Cinna was driven by force from the city, and immediately levying an army against his colleague, sent an invitation to Marius to return to Italy to take its command. His summons was obeyed without hesitation, and after the two generals had proved completely successful in their first operations, and for some time closely blockaded Rome from the hill of the Janiculum, the terrified citizens,

* —a Phædro, qui nobis cum pueri essemus valde ut philosophus probabatur.—(Ad Div. xiii. 1.) He afterwards attended the lectures of the same philosopher at Athens.

after the death of Octavius, who was openly murdered by the emissaries of Cinna, at length passed a law to repeal the sentence by which Marius had been driven into exile, and threw open their gates to receive him. The horrors of proscription immediately ensued. Every partisan of Sylla, who was possessed of sufficient riches to excite the cupidity of the victorious faction, or who had displayed enough of zeal in his cause to have made him a marked object of resentment, was at once mercilessly put to death. The streets of Rome flowed with the blood of its most distinguished inhabitants; the hand of the slave was armed against the life of his master; that of the son against his parent, and the public roads were crowded with terrified fugitives seeking a place of refuge, or with assassins following eagerly upon the traces of their flight. In the course of this protracted massacre Quintus Catulus, the colleague of Marius in his glorious campaign against the Cimbri, with many senators, and several individuals of prætorian together with some of consular rank, met with an untimely death. The celebrated orator Marcus Antonius, the grandfather of the voluptuous and sanguinary triumvir, who had been doomed by the enmity of Cinna, was also among the number of the slain. Cicero (whose own escape, as an adherent of Sylla, is somewhat remarkable) may easily be supposed to have been a spectator when the head of this eminent statesman was exposed to the populace from the Rostra. At such an hour, while his ardent and ambitious spirit was fired by the bright course of honour before him, the shadow of presentiment was little likely to overcast his imagination, or the thought to intrude itself, that, after a similar career of distinction on his own part with that pursued by the illustrious individual whose remains were presented as a ghastly spectacle before him, the

same terrible method of indicating the fate which had befallen himself, should one day attract the horror and amazement of the gazing multitude of Rome.

During the short period of comparative quiet which followed the return of Marius, the attention of Cicero continued engrossed with legal and literary studies. His own account of the manner in which every faculty of his mind was constantly devoted to the acquisition of excellence as a pleader, is a remarkable lesson of unremitting and unwearied industry. He had now an opportunity, of which he eagerly availed himself, of hearing Milo the Rhodian, the most esteemed teacher of eloquence of the time, and under the influence of his addresses began the earliest of his original works, his Treatise on Rhetorical Invention. Without any direct reference to this, which he probably considered as but an amusement during the intervals of more severe exertion, he has given the following description of his occupations during the period in question, in his treatise, composed long afterwards, upon *Illustrious Orators*: "For the space of three years the city continued free from civil convulsions, at which time, in consequence of the death, departure, or exile of our best speakers,—for even Marcus Crassus and the two Lentuli, young as they were, had withdrawn themselves,—Hortensius enjoyed the reputation of being the most able pleader; Antistius continued to rise daily in public estimation; Piso spoke frequently; Pomponius less often; Carbo but rarely, and Philippus merely on one or two occasions. I, for my part, during the whole time, was employed night and day in the diligent prosecution of studies of every description. I was then under the direction of Diodotus the stoic,—who, after a long residence with me, and an intercourse of the closest kind, lately died under my roof,—by whom I was exercised as well in other branches of learning

as most carefully in the dialectic art, which may be considered as it were a more close and comprehensive kind of eloquence, and without which you yourself, Brutus, have come to the decided opinion, that you could never have acquired that happy style of elocution, which is esteemed as a free and unfettered logic. Yet to this tutor, and to his many and diversified subjects of instruction, I was still not so much devoted as to suffer a single day to pass by without its usual oratorical exercises. I therefore declaimed continually on given subjects with Marcus Piso or Quintus Pompeius, or some other friend, sometimes in Latin, but more often in Greek; either influenced by this reason, that the Greek language, by which we are supplied with a greater scope of ornament, gives, by being frequently spoken, a similar excellence to our Latin discourse; or because it was only by using their tongue that I could either be instructed or corrected by the Greeks, those best of all teachers*." This passage is one from which the man of genius may learn humility, and the less splendidly endowed confidence. If it gives additional confirmation to the general truism, that the brightest talents must prove of little comparative use without earnest and frequent cultivation, it points out, at the same time, the very large share which industry and practice bore in the production of those masterly orations of Cicero, which, in common with others of the most eminent speakers, may have been too often regarded as the mere results of a natural aptitude or intensity of feeling, drawing all its powers of rich and varied expression from the impulse of the moment.

The return of Sylla to Italy from the Mithridatic war, in the year of the city six hundred and seventy-one, renewed, with increased violence and horrors, the contention between the aristocratic and

* De Claris Oratoribus, cap. xc.

popular factions. The former were now in their turn victors. The consuls, Norbanus and Marius the younger, were completely defeated in the first engagement, and this advantage proved only an omen of the singular train of successes which followed it. In every quarter the Marian leaders were routed by the lieutenants of Sylla, and that general having, in a last and desperate engagement, dispersed the army of the Samnite Telesinus, who encountered him almost at the gates of Rome, approached the city in triumph. The cruelties exercised a short time before by the followers of Marius upon their adversaries, were now repaid in a similar manner, but with a dreadful increase in the number of victims; including both those who had deserved the resentment of the conqueror, and an immense crowd of innocent persons, whose property, as in the former proscription, was a sufficient crime to ensure their destruction. At the instant of the entrance of Sylla into Rome, six thousand prisoners were massacred at once, and many more sacrificed by his soldiers, before he condescended to set a limit to their fury by a particular proscription. His first list of the proscribed contained eighty names, his second two hundred and twenty, and his third as many more. Carbo, the brother of the consul, and Publius Antistius, the father-in-law of Pompey, both orators of the highest reputation, fell amidst the general massacre, and the pontifex Maximus, Quintus Scævola, the aged friend and preceptor of Cicero, was barbarously murdered in the very vestibule of the temple of Vesta. The life of the latter was indeed in no respect endangered by the return of Sylla to Italy, but this event is by no means to be passed over in his history; if for no other reason, as one in which three individuals, afterwards intimately connected with his fortunes, were deeply though differently concerned. Marcus Crassus and Pompey,

two of the members of the first triumvirate, were both entrusted with armies levied to maintain the cause of the Dictator and actively employed in his service. The third, and afterwards the most celebrated in this eventful coalition, C. Julius Cæsar, as one of the Marian faction, was saved from the resentment of Sylla with the utmost difficulty, and it was not until he had been wearied out by the intercessions of some of the most respectable of his own followers, that the tyrant, with a reluctance which he openly expressed, consented to preserve from the sword of his executioners a life, of the future character of which he seems to have had a full and distinct conception; since he granted the pardon of Cæsar with the memorable observation, that, in so doing, he had preserved from destruction one who contained within him the seeds of many a Marius.

The despotism of Sylla, frightful and oppressive as it in the first instance proved, produced, by the very severity by which it was attended, one good effect; since the opposite party were so effectually dismayed by the power and fierceness of their terrible enemy, as to be little inclined to provoke him by continuing a useless show of resistance. The state was, therefore, in a singularly short time restored to tranquillity, and the Forum of Rome once more crowded with pleaders, who had long absented themselves from it, either from a regard to their own personal safety, or from an anticipation, which seems to have been almost general, that the civil constitution was on the point of being totally disorganised and laid in ruins by the prevalent tumults and excesses. It was now that Cicero, who had hitherto attended the courts of justice as a spectator and student of the merits of causes, began at length to acquaint himself beforehand with their leading points, for the purpose of appearing in the character of an advocate.

It may be reasonably supposed that he had, in some measure, distinguished himself in this capacity before the delivery of his first recorded oration, which, on the best evidence, seems to have been his speech in behalf of Publius Quintius, pronounced in the presence of C. Aquillius Gallus and three assessors, in the year of Rome six hundred and seventy-three, and consequently in the twenty-sixth year of his age. The cause was one of some intricacy, and had excited considerable interest, especially as Hortensius, then considered the first pleader in Rome, was engaged in behalf of the plaintiff S. Nævius. The latter had brought an action against P. Quintius as next of kin, upon a partnership account with his brother Caius, lately deceased, and either by the neglect of the defendant in appearing to his recognisance, or by false representations to the prætor Burrienus, had obtained judgment against the property of Quintius, which, after being thirty days in possession of it, he proceeded to advertise for sale. The auction was prevented by Alphenus, the friend of Quintius, who applied to the prætor Dolabella for a writ to stay further proceedings until the return of Quintius, who was then absent in Gaul. The order, after an appeal had been made to the tribunes upon the subject, was granted on recognisances, and the dispute remained in abeyance until some months after the return of Quintius to Rome, when it was renewed by Nævius, and at length brought to formal trial, before commissioners appointed by Dolabella to hear both parties by their advocates and to pronounce final judgment. The readiness with which Cicero undertook the cause of the defendant, and the zeal which he displayed in its support, while Nævius, in addition to the aid received from Hortensius, was known to be countenanced by most of the magistracy, was his first step to popular favour. But his defence of Quintius

was completely thrown into the shade the following year by the oration, still extant, for Sextus Roscius of Ameria, in supporting whose cause, (the first of those called "public" which he was induced to advocate,) he boldly entered the judicial field against the dictator Sylla himself. The features of the case were as follows: Sextus Roscius, residing in the municipal town of Ameria, a person of the equestrian order, possessed of considerable landed property, and distinguished for his zeal in the cause of the aristocratic faction, having visited Rome while the proscription of Sylla was at its height, was, some time afterwards, waylaid and murdered near the Palatine baths, as he was returning from a supper to which he had been invited, the assassins as soon as they had effected their object, escaping detection by a hasty flight. In the course of a few days, to the general astonishment of all acquainted with his principles and recent conduct, his name was discovered in the list of the proscribed. His estates, as forfeited property, were accordingly sold and purchased, at a price far below their real value, by Chrysogonus the favourite freedman of Sylla. The strongest suspicions were excited, on this occasion, of an infamous collusion between two Roscii of Ameria, Magnus and Capito, who were known to have been at enmity with the deceased, and Chrysogonus; little doubt being entertained that the former were either actually or indirectly concerned in the commission of the murder, and the latter at least an accessory after the fact, by adding, without the knowledge of Sylla, the name of Sextus Roscius to the list of proscription, that he might have an opportunity of purchasing his estates at his own price. The opinions entertained upon the subject received ample warrant from the circumstance, that although Chrysogonus was the purchaser, possession was taken of the property, in his name, by one of the sus-

pected Roscii, while the other was presented with three excellent farms, constituting part of the forfeited estate, as his share of the plunder. The son of the murdered knight, who bore his father's name, after being pitilessly ejected from his domain, and reduced to the utmost want and wretchedness by these iniquitous proceedings, became so general an object of compassion to his fellow citizens, that a deputation was, in a short time, sent from Ameria to acquaint Sylla with the conduct of his favourite. Chrysogonus, alarmed at the prospect of detection and open exposure, contrived to avert the threatened danger for the time, by amusing the friends of Sextus Roscius with promises of a speedy restitution of the property and compensation for the injury in which he had been instrumental; but on finding, at length, that he could no longer hope to effect any thing by delay, placed himself on the offensive, and, with an audacity only equalled by the wickedness by which it was prompted, accused Sextus, by means of Erucius, one of his adherents, of being the real perpetrator of the murder of his father. The unhappy object of his villany, in addition to being deprived of every part of his possessions, and reduced to depend upon the charity of one of his relatives for shelter and sustenance, was thus in imminent danger of losing his life also by a false charge of parricide. The cause was brought before the tribunal of the prætor Fannius, and attracted universal attention from its singularly interesting character; but notwithstanding the presence of the noblest and most honourable citizens of Rome, notwithstanding the generally understood innocence of the accused and the baseness of the prosecutors, so great was the terror inspired by the name of Sylla, and so extensively felt the danger of provoking him, by a public opposition to the agents of his minion, that it seemed

at first highly probable, that a second murder, under the mask of a legal process, would be added to that of which they were on good ground supposed to have been already guilty. The defendant, a man of simple manners and habits, whose life had been, for the most part, spent in the seclusion of the country, and devoted chiefly to agricultural pursuits, and who might therefore be presumed to be wholly unacquainted with the forms of law, was on the point of learning by painful experience, that the justice of his cause would be of little avail for his preservation, in consequence of his inability, amidst the crowd of advocates around him, to find one willing to speak in his favour, when Cicero came forward in his defence, with a boldness and disinterestedness, which would have ensured respect for an oration of far less ability than that actually delivered in behalf of his oppressed and desponding client. His dextrous use and powerful statement of all the points of circumstantial evidence in favour of the defendant, his counter-insinuations, upon the same evidence, against the prosecutors themselves, as the persons most obviously implicated in the crime, his fearless statement of the general infamy of their lives, and his cutting sarcasms against the rapacious favourite, speedily turned the scale in favour of the party aggrieved. Roscius was acquitted by the verdict of the judges, and Cicero rose at once, in the estimation of the public, to a level with the most gifted and most experienced among his many competitors for forensic honours. Yet it is a sufficient comment upon the character of the times, that so far from obtaining the restitution of the property so unjustly wrested from him, Roscius seems to have been considered in the highest degree fortunate in escaping with life; while the orator by whom his accusers had been triumphantly refuted, was strongly suspected of having formed his subsequent determination of retir-

ing for a short time from Italy, from a dread of the resentment of Sylla, on account of his ready interference for the preservation of one whom the freedman of the tyrant had marked for destruction.

This resolution, whether owing to any such apprehension or not, was deferred until the following year, and before it was carried into effect he had gained additional distinction by his pleadings in several less important causes, as well as more especially in one arising from the disputed freedom of an inhabitant of Arretium; in the conduct of which he was successfully opposed to the eminent advocate Cotta, and again ventured to appear in open opposition to the well known sentiments of Sylla, who had exerted himself, by every means, to prevent the privileges of Roman citizenship from becoming general throughout Italy. He then prepared for his journey to Greece; in mentioning his motives for which he has made no allusion whatever to any more cogent reason than a regard for the state of his health, which had become in some measure impaired by his late unintermitted exertions. "I was at that time," he observes, "remarkable for a slender and feeble body, as well as for a long and spare neck; personal appearances which are supposed to indicate a life held upon a precarious tenure, if connected with any severe labour or constant exercise of the lungs. My friends were the more anxious on my account, because in all my pleadings I declaimed without either gradation or variety of tone, at the full pitch of my voice and with great vehemence of action. When, therefore, I was strenuously advised by these, as well as by my physicians, to abandon the legal profession, I was determined to encounter danger in any shape, rather than forego the long wished object of my ambition—renown as an eloquent speaker. But when I considered, that by a more subdued and mo-

*derate intonation, and by changing the whole character of my declamation, I should, while I attained the art of speaking in a more temperate manner, at the same time avoid the danger with which my life was threatened, I determined upon a journey to Asia the better to effect this desirable alteration. I therefore left Rome, after having been employed there for two years as a pleader, and at a time when my name had already become well known in its Forum *."*

Athens, no less celebrated for the illustrious characters, by whom it has from time to time been visited, than by the names which it has itself contributed to swell the records of fame, was the first city which received the ablest rival of its own finished school of eloquence, after his departure from the Italian coast. The terrible sack of the place by Sylla, a short time before, had proved but a temporary interruption to those studies in which, after the loss of all its political influence, it continued, for many centuries, more enviably pre-eminent. The Porch, the Academy, the Lyceum, and the Gymnasium celebrated as the haunt of the Cynic School, were thronged with philosophers of all nations and sects, and the banks of the Ilissus and fragrant slopes of Hymettus were the daily scenes of those abstruse disquisitions, which, whatever opinion may be entertained of their merits on other considerations, must for ever claim respect, from the strength and magnificence of the language in which they have been invested, as well as from the intellectual acuteness and subtlety which they display. Cicero continued at Athens for six months, commencing from this period of his life his intimate acquaintance and friendship with the celebrated Titus Pomponius, better known by the surname of Atticus, who had been his fellow-student in boyhood; to which posterity is

* De Clai. Orator., cap. xci.

indebted for so much of his invaluable correspondence. He also attended the lectures of the most eminent philosophers residing in the city ; among whom the names of the Epicureans Phædrus and Zeno, and the Academic or Stoic Antiochus of Ascalon, have been particularly mentioned. He at the same time frequently exercised himself in oratory under the directions of Demetrius of Syria, of whose abilities as a rhetorician he has spoken in high terms. From Athens he proceeded to Asia, having first upon his way been solemnly initiated at Eleusis in those celebrated mysteries, respecting which so much has been written, and so little is apparently understood. His time in Asia was employed, as the greater part of his previous life had been, in the uninterrupted pursuit of that oratorical excellence which, whether at home or abroad, was the object perpetually presented to the dreams of his ambition. In a few months he had left scarcely a city of that then celebrated region unvisited, and during his progress was attended constantly by professors of acknowledged merit, whom he had prevailed upon to accompany him as his instructors in rhetoric ; including Menippus of Stratonice, whom he terms the ablest of Asiatic orators, Dionysius of Magnesia, Æschylus of Cnidos, and Xenocles of Adramyttium, all enjoying an honourable reputation in their respective cities. He then sailed for Rhodes, where he had once more an opportunity of benefiting by the tuition of his former master Molo, to whom he confesses his obligations for checking the too great exuberance of fancy, for which his early speeches had been remarkable, and which was a fault rather likely to be increased than diminished by his late attention to the Asiatic school of oratory. His biographer Plutarch has mentioned, that after declaiming on one occasion before this master, when all the by-standers had been

astonished with his performance, and had followed the concluding periods of his oration with enthusiastic and frequently renewed expressions of applause, Molo sat for some time silent and apparently occupied with a train of melancholy thoughts, and on being asked by his pupil, with some slight appearance of dissatisfaction, why he made no comments either of praise or censure on the occasion, replied to the following effect: "It is not, Cicero, that insensibility to the proofs of your abilities which you have just given has any connexion with my silence. These, indeed, are worthy of all the commendation which has been bestowed upon them, but alas for the reputation of Greece! But little was left to her to boast, and even the last of her claims to reputation,—her eminence in learning and eloquence,—is now also, I perceive, on the point of being transferred to Rome."

After two years' absence in Greece and Asia, Cicero determined upon returning to Italy, since he had now obtained all the advantages contemplated in his travels. His constitution had become more robust; his powers of enduring fatigue were greatly increased by frequent practice; he had acquired that mastery over his voice by which he was always afterwards enabled to modulate and restrain it within bounds; and, by his intercourse with the various masters through whose courses of instruction he had passed, he had not only improved his general style, but gained a far greater scope and variety of expression than he could have attained by studying the peculiar excellences of any one preceptor. If he had ever feared the power of Sylla, all apprehensions on that subject were removed by the death of the dictator, while he was still at Athens, under such circumstances of misery as are sometimes permitted to render the last moments of the persecutor and the oppressor strange and terrible warnings to those whose belief in a retributive

Providence may have been weakened by their previous prosperity. In his journey homeward through Greece, he is said to have consulted the oracle of Apollo at Delphi upon the best means of obtaining future honour and reputation, and to have received in reply the advice to make his own natural judgment, and not the will or favour of the multitude, the guide of his public actions. The writer who has mentioned this circumstance, adds, that he was so far influenced by the answer of the Pythoness, as for some time after his arrival in Rome to avoid notice, and cautiously to refrain from paying court to the people by the usual methods then pursued to ensure their favour. But the account is far from probable, or if he was, indeed, at any time under the influence of such an admonition, it must have been for a period of singularly short continuance. In the year following his return to Italy, we again find him constant in his attendance at the Forum, and carefully adding the last requisite to his excellence as an orator, by correcting all the faults of his action under the directions of *Æsop* and *Roscius*; the former the most celebrated tragic actor of his time, as the latter was confessedly the first in comedy. He shortly afterwards had an opportunity of repaying the instructions of *Roscius*, by appearing as his advocate in an action brought against him by *Caius Fannius Cherea* for the recovery of an alleged debt. The suit was of a somewhat complicated character, arising from a dispute respecting the money paid as compensation by the murderers of a slave, in whom both *Roscius* and *Cherea* possessed equal rights. It is to be regretted, that the oration spoken by *Cicero* on this occasion is imperfect. Yet enough is extant to provoke a smile at the singular difference between the observances in a Roman court of justice on such occasions, and the more equitable methods of pro-

cedure adopted in similar processes at the present time. The grossest personal vituperations against the plaintiff, mingled with arguments against the validity of his claims drawn from his features and aspect, with direct and open flattery to the presiding judge, are at least strangely inconsistent with modern ideas of the proper duties and privileges of an advocate. Such, however, were some of the commonest features in the pleadings once heard in the Forum of polished Rome, and for such the oration for Sextus Roscius, without any great display of the beauties of rhetoric, is sufficiently distinguished.

In the same year which witnessed his advocacy of the cause of Roscius the Comedian, Cicero first presented himself as a candidate for office, by publicly averring his intention of standing for the quæstorship. This determination was made while the orator Cotta was canvassing for the consulship, and Hortensius for the dignity of ædile. All three were successful; but the election of Cicero was remarkable for the readiness with which the tribes united in returning him, before all his competitors, to the desired appointment. He was now in the thirty-first year of his age, the earliest period at which, according to the existing regulations, a Roman citizen was considered eligible to the lowest honour in the power of the people to bestow. By recent legacies, his estate had been increased sufficiently to exceed the senatorial census, which was then fixed at eight hundred sestertia, or considerably more than six thousand pounds sterling. His marriage with his first wife, Terentia, which took place before his election, made no inconsiderable addition to his income, if Plutarch's statement is correct, that she brought to her husband a fortune of one hundred and twenty thousand denarii. This union, however, proved by no means one of the happiest events in the orator's life. Terentia, whose family must have been

of rank, since one of her sisters was a vestal virgin, seems to have been a woman of haughty, jealous, and imperious temperament, and, after many years of domestic bickerings, was at length separated from her husband; who is proved on unquestionable evidence, amidst all his subsequent honours and distinctions, his mastery over the passions of multitudes, his political influence and literary renown, too often to have wanted the simplest but richest source of enjoyment—the solace and comfort afforded by a peaceful home.

CHAPTER II.

Conduct of Cicero in his Quæstorship—He discovers the Tomb of Archimedes—Delivers a farewell Oration at the Expiration of his Office to the People of Lilybæum—He embarks for Italy, arrives at Puteoli—Spends five years in pleading private Causes—Resolves to stand for the Ædileship, and is returned to the Office—Commencement of the prosecution against Verres—History of the Administration of that Magistrate—Oration against Cæcilius—Cicero sails a second time to Sicily—Returns to Rome, and delivers his first Oration against Verres, who withdraws into Banishment—He defends Marcus Fonteius and Aulus Cecina—Dedication of the Capitol by Quintus Catulus.

THE quæstorship in the ancient republic was an office which involved in it considerable authority and no small share of responsibility. As the circumstance of having been appointed to the honour gave the right of admission to the senate, and as it afforded a fair field for the exhibition of those qualities which were likely to constitute, in the eye of the public, claims for still higher dignities, it was anxiously sought by all young aspirants to political eminence. At home the duties of this magistracy involved the care of the treasury, and the receipt and expenditure of the public revenue; abroad, the payment of the troops, and the collection of the tributes and imposts exacted from the different nations which had submitted to

the Roman arms. The provinces of the several quæstors were assigned to each by lot at the general election, and by this method of distribution, Cicero was commissioned to accompany the prætor Peducæus, on whom the government of the island of Sicily had been conferred in a similar manner. This province was considered extensive enough to require the presence of more than a single quæstor, and two were accordingly appointed to it; the one being stationed at Syracuse and the other at Lilybæum. The latter city was allotted as his residence to Cicero, who found it, at first, a difficult task to exercise his public functions in such a manner as to avoid giving offence to the people among whom he had been stationed. Sicily, whose abundant harvests, ever since its conquest by the Romans, had contributed so much towards the sustenance of the crowded population of Latium, as to acquire for it the title of the principal "granary of the republic," was at that season required to export far more than its usual supply of corn, in consequence of a late general scarcity in Italy. One-tenth of the whole produce of the island, which was exactly the tribute paid to its ancient kings, constituted, under ordinary circumstances, the amount of its annual contribution to the Roman government, and when this demand was exceeded, a certain sum was granted from the treasury as a compensation for the additional grain required, although it may be supposed that the amount of the remuneration was fixed, rather by the relative positions of the two nations, than by any general principles of equity. Owing to the strictness and impartiality with which he fulfilled his duties to the State in his superintendence of this unpopular exaction, Cicero was, at first, viewed with considerable suspicion and dislike by the Sicilians, but his general affability and courtesy, his willingness to listen to every grievance, and his

readiness to redress it, joined to his unimpeachable integrity and neglect of his personal interests, in an office which afforded but too many opportunities for injustice and extortion, speedily changed the tide of public opinion in his favour. With a confidence possibly prompted by no small degree of vanity, but by a vanity which, if not well founded, would at once have issued in open exposure and disgrace, he afterwards publicly boasted, that no one in similar circumstances had ever behaved more obligingly or with higher reputation than himself*; and it is evident that the public of Sicily were impressed, to a considerable extent, with the same opinion, since they not only decreed, in acknowledgment of his merits, such honours to be paid him as no previous quæstor had ever received, but continued on terms of the most friendly intercourse with him long after the expiration of his year of office. Beyond the honourable fulfilment of the duties which had devolved upon him, his residence in Sicily was remarkable for few events of moment. Plutarch, however, has related, that he found an opportunity of ingratiating himself at this time with some of the leading families of Rome, by successfully defending a number of young men connected with them, who had been sent as prisoners to the prætor at Syracuse, charged with certain offences against military discipline. It is also not unworthy of notice, that he was the means of pointing out to the Syracusans the monument of their great countryman Archimedes, the site of which had been long forgotten. His own account of his discovery of the neglected sepulchre of the Newton of antiquity, is given in the fifth book of the Tusculan Questions, and he seems to have taken an honest pride in recording the circumstances. “The tomb of Archi-

* Non vereor ne quis audeat dicere, ullius in Sicilia quæsturam aut gratiorem aut clariorem fuisse, &c.—*Pro Plancio*, xxvi.

medes," he observes, "which was altogether unknown to the Syracusans, who even denied that it had any existence, and completely surrounded and overgrown with wild shrubs and briars, was by my means once more revealed to them during my quæstorship in Sicily. I retained in my memory certain verses which, as I had understood, were inscribed upon the monument, indicating that the figures of a sphere and cylinder were placed above it. When, therefore, after a long and tedious search, (for there are an immense number of sepulchres near the gates looking towards Agrigentum*,) I at length perceived a small pillar, scarcely rising above the rank vegetation around it, and bearing these figures, I immediately remarked to the chief persons of Syracuse, who were in my company, that I thought I had found what I had been seeking. A number of persons were immediately sent with scythes and bill-hooks to clear the spot; and as soon as a path was opened we advanced towards the base of the pillar opposite to us. The inscription was then obvious, although the concluding words of the verses were half obliterated by decay. Thus the most illustrious, and at one time the most learned city of Greece, would have been ignorant of the tomb of the most subtle and acute-minded of its sons, had not an individual of Arpinum indicated where it was to be found†." This discovery was made during a general tour of the island which Cicero undertook previous to his departure from Sicily. On his return to Lilybæum, from whence he shortly afterwards embarked for Italy, he delivered a farewell oration to the people, of which but a few words, quoted by a later author, are extant. On this occasion it appears, that the strongest assur-

* Or the gates near the quarter of Achradina, the former reading *Agragianas*, having been recently suspected to be a corruption of *Achradinas*.

† Tuscul. Quæst., V. xxiii.

ances of mutual regard were exchanged between the speaker and the assembled multitude whom he had convened, and that Cicero made, at the same time, a general promise of his best services in favour of the Sicilians, if they should at any time think proper to demand them. From the zeal he had shown in executing his official duties, the high reputation he had attained throughout Sicily, and the great benefit his exertions had conferred upon the people of Rome, by supplying their necessities in a time of general apprehension of want, he had flattered himself that his name was now scarcely less celebrated at home than abroad, and that all Italy was already filled with his praises, and ready to do honour to his disinterestedness and probity. But his anticipations were destined to receive a mortifying check on his arrival at Puteoli in Campania, of which he has given a pleasant account in his oration for Plancius, delivered at a time, when, after having filled with honour the highest offices of the State, he might mention with complacency the first rebuke sustained by his early ambition. This town was then filled with a concourse of idlers of the higher ranks from Rome, who had resorted thither for the benefit of its mineral waters, and Cicero, shortly after his landing, on meeting with a former acquaintance was surprised, instead of the congratulations on his return from Sicily, or the compliments on his conduct there, which he had naturally expected, to be asked, how long ago he had left Rome and what was the latest news in the metropolis. Indignant at this instance of ignorance on a subject which, to himself at least, seemed of the highest importance, he replied with an air of offended dignity, that so far from having lately visited Rome he was then but just returned from his province. "True, from Africa I believe," was the observation of his companion; and this second proof of the limited range of his reputation was not rendered much more

agreeable by the intervention of a third party, who, willing to correct the ignorance of the other, and to prove to Cicero that he, at least, was acquainted with the place which had been the scene of the execution of the duties of his first appointment, observed with marks of surprise, "How! is it possible that you can be ignorant that our friend here was lately prætor of Syracuse?" The observation of the orator upon this circumstance is just and pertinent: "I know not, ye Judges," he adds, after giving an account of the transaction, "whether my disappointment was not of greater service to me than if I had met with universal congratulations. For as soon as I perceived the people of Rome were indeed dull of hearing, but possessed of acute and observant eyes, I ceased to consider in what manner my reputation might best appeal to the former sense, and took care that they should have opportunities of regarding me daily. I therefore lived entirely in the public gaze. I kept close to the duties of the Forum, and on no occasion was a denial from my porter, or even the necessary refreshment of sleep, a means of sending a single citizen who had sought an interview with me unsatisfied from my door*."

Amidst the diligent exercise of such means to ensure popularity, and in the advocacy of many causes of importance, the pleadings in which have, without exception, perished, five years passed away;† the least important perhaps in the life of the orator, but far from destitute of events affecting, to no trivial extent, the interests of his country. During this interval Rome

* Pro Plancio, xxvii.

† To this period may possibly be referred the orations for Marcus Tullius and Lucius Varenus, passages from which are quoted by Priscian and Quintilian. Additions have lately been made to the fragments of the oration for Tullius, who seems to have been impeached under a charge of illegal violence, by the discoveries of Angelo Maio.

was agitated by violent efforts on the part of the supporters of the popular interests, to rescind the acts lately passed by Sylla in favour of the aristocracy, and more especially to procure the restoration of the tribunitial power; a mighty engine either of good or evil, according to the character of those by whom it was wielded, which the dictator had done his utmost to neutralise, as well by circumscribing its exercise in other respects, as by passing a law, that whosoever had once borne the office of tribune of the people should be ineligible to any higher magistracy. Yet amidst the prevalence of furious and constant dissensions at home, the arms of the republic abroad were, during the same period, crowned with their usual success, and her already enormous dominion increased on all sides by the swords of her victorious legions. In Spain the last adherents of the Marian faction, who under the generalship of Sertorius, probably the ablest leader of his time, had long defied the united force of Metellus and Pompey, were, after his assassination by Perpenna, effectually dissipated or destroyed. In the East the power of Mithridates was completely broken by Lucullus, who after raising the siege of Cyzicus, and wresting one province after another from the hands of his antagonist, concluded his career of conquest by compelling the most formidable enemy to Roman ambition since the days of Hannibal, to relinquish his hold upon Asia, and to take refuge in the inmost parts of the kingdom of Pontus. These advantages were somewhat counterbalanced by the Servile War excited by Spartacus; but this also, after the regular forces of the Commonwealth had been several times shamefully beaten by an undisciplined multitude, whose sense of injuries or dread of future severities stood them in the stead of more efficient training and military skill, was at length brought to a conclusion by the victory of Marcus

Crassus in Lucania, and the destruction of those who had escaped from the field by the army of Pompey, which encountered them as they were on their march towards the Alps. Both these generals, in reward for their eminent services, were made consuls, in the year after the suppression of the revolt ; and the vanity of Pompey, besides an express decree of the Senate by which he was allowed to enter upon the consulate before passing through the subordinate offices, was additionally gratified by a triumph for his success in Spain ; the second he had obtained while yet a simple Roman knight. It was in the consulate of Pompey and Crassus (A. U. C. 684) that Cicero, since the usual interval had elapsed from his quæstorship, after which it was lawful to aspire to the higher dignities, presented himself to the people as candidate for the office of curule ædile, and had again the satisfaction of being first returned at the election.

Those who held this magistracy, the lowest in the state which entitled its possessors to the appellation of noble, a distinction which also descended to their posterity, were, as its name imports, entrusted principally with the superintendence of the public buildings at Rome. They were also required to preside in the markets, and to ascertain that none of the weights and measures used there fell below the legal standard. But the principal and the most onerous part of their office consisted in the direction of the public games and shows. The ædiles were originally two in number ; but two more, distinguished by the name of curule ædiles, from the ivory seat they were privileged to use, were afterwards annually chosen, at first from the ranks of the aristocracy alone, but subsequently from the patricians, or plebeians, indifferently. In what manner the office of these differed from that of the others, termed, by way of distinction, plebeian ædiles, is yet to be ascertained. It has

been conjectured, that whatever might have been originally the separation of their duties, they were at a later period completely blended; the two first elected assuming the more honourable title, but acting in all respects in common with their fellows. As the populace of Rome, in earlier as well as in more recent times, were so inordinately fond of spectacles as to render the gratification of their ruling taste an expeditious and certain road to their favour, it became an object of ambition with successive ædiles to exceed all who had gone before them in the pomp and magnificence of the shows which they were authorised to exhibit. The most distant provinces were consequently ransacked by their agents for strange or unknown animals, and crowds of furious beasts transported to Rome for the hunts and combats of the arena. Troops of gladiators were purchased, at enormous prices, to contribute by mutual slaughter to the brutal pleasures of the populace, and theatrical exhibitions prepared at a cost which renders perfectly insignificant the most ingenious efforts of modern extravagance and luxury. As a proof of this it may be mentioned, that when Julius Cæsar was elected to the ædileship, he exhibited three hundred and twenty pair of gladiators*, and that the whole apparatus of the arena, furnished on the occasion, was formed of solid silver. But the ædileship of M. Scæurus, some years before, had placed it out of the power of the wealthiest citizen to surpass him in lavish expenditure. This magistrate exhibited no less than a hundred and fifty panthers at once at a public entertainment; and the theatre which he caused to be erected for dramatic representations, although its dimensions and decorations are matters of grave history, reminds the reader of the wildest of Arabian fictions. This stupendous edifice was capable of con-

* Plutarch. in Cæs.

taining eighty thousand spectators*. The stage front displayed three hundred and sixty columns disposed in three tiers, of which the lowest were thirty-eight feet high. The entablatures which they supported were severally composed of marble, of glass, and of beams richly gilded. Three thousand brazen figures, disposed between the columns, formed the temporary ornaments of the majestic erection, which, from its vastness and beauty, must have appeared to the astonished spectators, on their first admission, as a splendid architectural vision. The additional expense incurred for the dresses of the actors and chorusses, the valuable paintings, and other decorations, must have been almost beyond computation; since we are informed, that when what was left of them had been removed to the Tusculan villa of Scaurus, and that edifice had been wilfully set on fire by his slaves, the loss, in such articles alone, was estimated at more than eight hundred thousand pounds sterling. It is needless to state, that in an office sometimes involving expenditure like this, the most extensive private fortunes were speedily swallowed up, and overwhelming debts incurred. Those, however, who were at so much pains and cost to entertain the multitude, were far from being disinterested in their prodigality. The ædileship was regarded merely as an introduction, if popularly filled, to the dignities of prætor and consul, and the prospect of obtaining a province, in either of these capacities, was considered sufficient to justify any outlay; since an ample remuneration might then be expected at the expense of the unhappy subjects of the empire, upon whom the burthen of entertaining their conquerors ultimately fell. It was on the strength of such a contingency, that Julius Cæsar, before being elected to any public office, contracted

* Plin. Hist. Nat. lib. xxxvi. cap. 24.

a debt of two hundred and fifty thousand pounds, which he had contrived to increase to nearly a million before setting out after his prætorship for his province of Spain. If Cicero has given an impartial account of his own conduct during his ædileship, it was neither distinguished by profuse liberality, nor by parsimonious meanness, but regulated entirely by the extent of the resources at his command*. While yet, however, canvassing for the office, and some time before the assembly of the people at which he was elected, he was called upon to take the leading part in the celebrated prosecution of Verres; a cause in every way suited both to the display of his genius and the best qualities of his disposition, and in which he had the fortune to be again opposed to Hortensius, his predecessor in civic honours as well as in oratorical reputation, but whom he was destined after a short time to surpass in both.

The condition of Sicily at this time might be cited, as an additional example to the many, widely known and strikingly recorded, of the mutability of empires, and that rapid transition from a state of prosperity and vigour to one of weakness and decay, to which the most flourishing nations have often been subject. The country which had once defied the arms of Athens and of Carthage, when both were at the zenith of their reputation, the birth-place of Gelon and Hierocles, of the Hieros and the Dionysii, and crowded with numerous cities, each worthy of being the capital of a great nation, was now reduced to such a condition of abject slavery beneath the Roman yoke, as scarcely to resist, even by murmurs, the most atrocious acts of injustice and oppression practised upon it by successive governors, whose avarice it was periodically obliged to satisfy. Among these, the name of Caius Verres has obtained an

* De Officiis, lib. ii. cap. 17.

infamous celebrity, as well from his exceeding all others in his tyrannical and sanguinary administration, as from his having been at length exposed, owing to a combination of circumstances anything but frequent in the history of the provincial policy of Rome, to a punishment, which, light and trifling as it must appear when compared with his measureless rapacity and inordinate wickedness, most of those resembling him in guilt were fortunate enough to escape. The oppression of this magistrate during his foreign prætorship were so intolerable, and his extortion exercised on so unsparing a scale, as to surpass the powers of endurance possessed even by the Sicilians themselves, and to induce them to seek retribution through the expensive and generally fruitless method of a public prosecution. How far their resentment was justified may be seen from a slight sketch of the proceedings of Verres in Sicily, extracted from the orations of Cicero against him, which afford but too trustworthy a commentary upon the kind of treatment experienced in his day by the conquered provinces at the hands of Rome; treatment, it may be observed, which there is no reason to suppose, from the writings of her historians, not to mention those of her satirists and moralists, to have been unaltered at succeeding periods of her oppressive despotism.

Immediately on the arrival of this "vulture magistrate," (to use a term which Cicero has applied to another character possessed of similar propensities) in his province of Halesa, a man of considerable note and property, was cited before him, to answer respecting an estate bequeathed to his family, on the condition of a certain number of statues being erected in the market-place of the town from part of the proceeds. In default of compliance with this requisition, the property was liable to be forfeited and to be assigned to the maintenance of the worship of Venus Erycina. The

statues in question had been carefully placed as directed by the will, but Verres, with the hope of securing a considerable bribe to himself, as an inducement to stop further proceedings, procured a person of infamous character to appear in behalf of the Goddess and to prosecute Dio for the estate, on the ground that he had neglected to comply with the injunctions of the testator. The cause was decided in favour of the defendant, but not until he had secured the sentence of the judge in his behalf, by a present of about nine thousand pounds in money, a valuable breed of mares, and all the costly plate and furniture contained in his house. Verres upon a similar pretext extorted an enormous sum from the two brothers Sosippus and Epicrates of Agyra, after they had been twenty years in quiet possession of the inheritance left them by their father, and both were at once reduced to poverty by the exaction. Heraclius the son of Hiero, and the richest of the Syracusans, who had also been enjoined by a will, by which he inherited an immense estate, to erect a number of statues in the public palæstra, and who had faithfully fulfilled the injunction, was sued on the same ground of prosecution, by persons excited by the prætor, and vainly attempted to rescue his possessions by flight; since the whole, including a multitude of slaves, Corinthian vessels, and embroidered coverlets of immense value, was declared to be forfeited to the public: a specious sentence, which did not prevent the greater part of the precious articles enumerated from finding their way into the house of the dignitary who had passed it. Epicrates of Bidis, whose only crime was his great wealth, was the next victim. By a false accusation of forgery, he was soon obliged to abandon his domains and take refuge at Rome, leaving Verres and his accusers to divide the plunder between them. But the most atrocious instance of injustice was exhibited

in the case of Sopater the Halycyensian, who after being indicted for a capital offence before the former prætor Caius Sacerdos had been honourably acquitted. He was nevertheless cited by Verres, in defiance of the judgment of his predecessor, to appear at Syracuse, and answer once more to the former charge. While in prison in that city, he was visited by Timarchides, one of the prætor's agents, who did not scruple to hint to him, that it would be most to his interest, instead of trusting to his innocence, to compound the matter by a handsome sum. By extraordinary exertion among his friends, the accused, who now plainly saw to what he had to trust, collected a considerable gratuity, which he duly paid to Timarchides, confidently expecting that his acquittal and release would speedily follow in due course. He soon afterwards, however, received to his astonishment an intimation, through the same medium, that what he had advanced was wholly insufficient; that the prosecutor had offered a much higher bribe, and that unless he could exceed it, he must prepare himself for the worst. Indignant at this infamous attempt at further extortion, or despairing of being able to satisfy the increasing rapacity of Verres, Sopater indignantly broke off the negotiation, and positively refusing to make the slightest additional advance, defied his accusers to do their worst. He soon had occasion to repent of his rashness. The prætor seized an opportunity, when he had craftily managed to rid himself of the presence of the other judges, to summon Sopater to his bar, and after hastily listening to the evidence against him, notwithstanding the absence of his counsel, who had withdrawn, refusing to enter upon the defence unless before a full court; and notwithstanding the vehement supplications and appeals of Sopater himself, who adjured him in the name of the Gods and of all mankind, at least to grant him a fair and

impartial trial conducted according to the usual forms; proceeded to adjudge him guilty and to condemn him on the capital charge.

To this system of judicial robbery was added one of indiscriminate pillage, unblushingly carried on without any attempt to justify or even to conceal it. The temples of the Gods were despoiled of their most costly ornaments, and the most finished works of art, the property of communities or of individuals, either surrendered to the prætor, in compliance with his importunate requests, or openly seized by him, if the more gentle methods of appropriation proved unavailing. Pamphilus of Lilybæum having in his possession a silver ewer of great weight and exquisite workmanship, one of the master-pieces of Boethus a celebrated Carthaginian sculptor, which had descended to him from his ancestors, was forced to part with it, without the slightest hope of compensation, at the demand of Verres, and was but too happy to preserve a pair of cups, which had also been ordered to be brought for his inspection, by bribing two of his confidants to assure him, that they were of inferior execution and altogether unworthy a place in the collection of a connoisseur. Diodorus of Melita, who attempted to preserve two chalices richly chased by the hands of Mentor, which Verres had hinted a wish to see, by prudently withdrawing with them from Sicily, was immediately impeached, by his detestable instruments, of a crime of which he was altogether innocent. This attempt to reclaim him however entirely failed. Diodorus having repaired to Rome, represented to his patrons and friends in that city the manner in which he had been treated in such strong terms, that letters were despatched to Verres warning him of the danger to which he was exposing himself. The prosecution was therefore reluctantly dropped, but Diodorus was only able to preserve his place by

a voluntary exile of three years' duration. The young Antiochus, king of Syria, was more successfully entrapped and despoiled, in consequence of his youth and simplicity. This prince, on his return from Rome, whither he had proceeded, in company with his brother, to urge in person his claims upon Egypt, was sumptuously banqueted by the prætor, who exhibited every thing of rarity and value which he possessed for his entertainment. Antiochus was not slow in returning the compliment, and heedlessly displayed, in his turn, a number of precious vessels, which his guest secretly formed the resolution of making his own without further delay. Among these were several cups of solid gold richly adorned with gems, and a wine chalice which was composed of a single jewel of inestimable price, all far exceeding the richest vessels which the avarice of Verres had hitherto been able to accumulate. On the morning succeeding the entertainment, therefore, he sent to borrow the whole, on the pretence of showing them as patterns to his own engravers. The king, little acquainted with his character, at once politely granted the request. The prætor, however, had, at the same time, much richer spoil in view. He had heard of a sumptuous candelabrum possessed by Antiochus, composed of massive gold, encrusted with jewels, and finished in the most elaborate style of art, which the king had taken to Rome with the intention of dedicating it in the temple of Jupiter Capitolinus, but finding the building yet unfinished had determined upon carrying back with him into Syria, until the place should be ready for its reception. Although the possession of this costly offering was endeavoured to be kept secret, Verres was, by some means, informed of it, and as soon as he had obtained possession of the other valuables, requested that he might be indulged with a sight of this also. It was accordingly forwarded under the

care of the servants of Antiochus, and as soon as it was uncovered excited the most rapturous exclamations of delight on the part of the prætor, who affirming that one day would be wholly insufficient for a full appreciation of its beauties, desired the servants, as they were on the point of returning with it to Antiochus, to leave it under his care for a short time, that he might examine it more at leisure. Several days past, but the king heard nothing more of his candelabrum. His servants were then ordered to request that it might be restored, but were twice sent away without effecting their object. Antiochus, therefore, determined upon seeking its restitution in person, when he was astounded by a direct solicitation on the part of the prætor, that he would allow him to retain the candelabrum as a present. It was to no purpose that he pleaded his inability to comply with this impudent demand, on the ground, that it was impossible to divert an offering, already dedicated in intention as an ornament to the temple of Jupiter, from the purpose to which it was consecrated. Verres proceeded from entreaties to threats, and, finding these ineffectual, at last brought the conference to an end, by peremptorily ordering the king to leave his province before sunset, asserting with the utmost effrontery, that he had discovered it to be in imminent danger of being invaded by a piratical armament despatched from Syria for the purpose. To this there was but one method of reply. Antiochus instantly proceeded from the palace of Verres to the Forum of Syracuse, and there, in an oration frequently interrupted by tears, having made public all the circumstances of the transaction, called upon the whole multitude to witness, that while he took little account of the robbery committed upon his own property, he solemnly and openly consecrated, in the sight of all men and in the name of all the Gods, the candelabrum retained by

Verres to the service for which it was originally destined. After this ineffectual exposure of the injustice of his plunderer, he immediately embarked and set sail for his own dominions.*

Such were some of the most notorious instances of avarice and oppression by which the prætorship of Verres was distinguished. But crimes of a much deeper dye formed a part of the long list of charges against him. Unbounded as his covetousness might appear, it was completely thrown into the shade by his cruelty. It was frequently his custom when any vessel, laden with a rich freight, arrived in the Sicilian ports, to seize it, under the pretext of its being manned by the adherents of Sertorius.† The cargoes, of course, were confiscated to the prætor's use. But the wretched crews, many of whom were Roman citizens, were effectually precluded from the possibility of appealing against him at a future time, by being hurried into those frightful dungeons, the quarries or *Latomie* of Syracuse, and there secretly strangled without the formality of a trial. One of these intended victims, Caius Gavius, having been so fortunate as to escape and make his way to Messina, with the intention of crossing over into Italy, was imprudent enough in his premature confidence of being beyond the reach of his persecutor, to threaten the retribution of a final impeachment at Rome, for the unjust imprisonment of one of its citizens. For this he was secretly denounced to the magistrates of Messina, who, as companions in his villanies, were wholly in the interests of Verres, and immediately apprehended by their command. It happened, unfortunately for the fugitive, that the prætor arrived the same day at Messina, and was at once made acquainted with his apprehension and its cause. Infuriated by the information, and the prospect of the danger he had narrowly avoided, the official tyrant hastened into the Forum and summoning Gavius before

* In Verrem, v. xxvii.

† In Verr. vi. xxviii.

him, accused him of being a spy, and without strengthening his accusation by the testimony of a single witness, ordered him, as such, to be instantly scourged and crucified. It was to no purpose that the miserable sufferer repeatedly exclaimed, in arrest of judgment, and while enduring the ignominy and torture of the first part of his punishment, that he was a Roman citizen and could bring satisfactory evidence of the fact.* The whole of the frightful sentence was remorselessly executed upon him, and, by a horrible refinement of cruelty, the cross to which he was attached was erected upon the ~~sea~~ shore in full sight of the Italian coast, that, amidst his dying agonies, he might be tormented with the sight of the place of refuge which he had flattered himself with reaching, and from which, had he once gained it, he might safely have defied the hatred and power of Verres to injure him further.

As the whole of the Mediterranean at that time swarmed with pirates, who were sufficiently numerous to man regular fleets and to form the population of considerable cities, it was customary for the Roman prætors in Sicily to fit out a number of vessels against them annually, at the expense of the maritime towns. But Verres, who never lost an opportunity of sacrificing the public welfare to his own private interests, contrived to render this force completely inefficient. Several towns were allowed to compound for the ships they were required to furnish ;

* By the Porcian law, passed A. U. C. 455, it was declared unlawful to bind, scourge, or put to death any Roman citizen, unless by the sentence of a general assembly of the people, to which he was at all times entitled to appeal. But the enactment of Porcius only revived the more ancient statute of Valerius Publicola to the same effect ; and Cicero speaks of the privilege as possessed even in the time of the ancient kings : "*Provocationem autem etiam a regibus fuisse declarant pontificii libri, significant nostri etiam augurales.*"—*De Republica*, lib. ii. cap. 31.

all among the crews of those actually sent, who could purchase an exemption from personal service, were invited to do so, and large sums, which should have been expended in equipping and provisioning the armament, were diverted by the prætor to his own use. The consequence was, that the vessels were but half manned and totally unfit to encounter a vigilant and well provided enemy. At the time appointed for their putting to sea, Verres, instead of being present to superintend their departure, was indulging himself in a luxurious retirement near the fountain of Arethusa ; and it was not until the seven galleys under the command of Cleomenes, which composed, or rather represented, the Sicilian fleet, were standing out of the mouth of the harbour of Syracuse, that he at length made his appearance on the shore, effeminately clad, according to the celebrated picture drawn of him by Cicero, in a purple cloak, with an under vest reaching nearly to the ground, instead of the usual military garb, with slippers on his feet, and leaning on the shoulder of one of his courtesans. After the force, which had departed under such unwarlike auspices, had made the promontory and port of Pachynus in a voyage of five days, (at the end of which, the sailors were so distressed with hunger, in consequence of the failure of the provisions on board, as to be obliged to collect the roots of the wild palms for their sustenance,) news was suddenly brought to the admiral Cleomenes, that the piratical force of which he was in quest was anchored in the adjoining harbour of Edissa. An instant and disgraceful flight was the result. The admiral, hastily slipping his cables and hoisting all sail, was in a short time out of sight. The other galleys, whose captains had prepared for battle and would have readily offered it, had they not considered themselves bound to imitate his example, followed more slowly. Two of them were, in conse-

quence, speedily overtaken and captured, with all on board, by the pirates, and the rest, after rejoining Cleomenes, who had made good his way to Helorus, were so closely pressed, that their crews had only time to escape to the shore, before they were boarded by the pursuers, who, after removing every thing of value from them, committed the whole, including the galley of Cleomenes, a vessel of four banks of oars, to the flames. But the disgrace inflicted upon the Roman government did not end here. Heracleo, the captain of the piratical force, confident that nothing was now left to oppose him, sailed on the next day for the port of Syracuse, from which the conflagration of the fleet of Cleomenes had been distinctly seen, with four light vessels; and while Verres, still stupified from the effect of the excesses of the previous night, was assailed by universal clamours and insults, coolly cruised round the harbour at his leisure; knowing, adds the indignant orator by whom the circumstance has been recorded, that if he did not visit a place so worthy of his curiosity during the prætorship of Verres, he would, assuredly, never find another opportunity of doing so.*

Little as he had hitherto appeared to esteem his own reputation, Verres was now obliged, by the tempest of reproaches and complaints which was raised in all directions against him, to make some attempts to exculpate himself from the blame attached to an enterprise, the failure of which every one attributed to his incapacity and avarice. But this could only be done by the sacrifice of others less guilty than himself. Cleomenes, who had been first to set the example of cowardice, was too valuable an instrument towards his own exculpation, to be included in the list of his victims. He, therefore, prevailed upon him by threats to assert, that the ships had been fully manned and amply supplied with every necessary. The other

* In Verr. vi. xxxvi.

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commanders who had escaped, and who were young men of the highest rank in Syracuse, were then, by his orders, thrown into chains and condemned, as having traitorously surrendered their ships to the pirates, Cleomenes himself being shameless enough to take his seat beside Verres on the tribunal when sentence of death was passed upon them. It was in vain that their parents and friends used every means to soften the cruel disposition of the prætor, who had too valuable interests at stake, on this occasion, to be accessible to the ordinary method of bribery. Although many of the former passed whole nights at the threshold of the public prison, entreating at least to be allowed to take a last farewell of their unhappy relatives, this favour was only to be purchased at a high price, and an equally extravagant sum was required, for the speedy despatch of the criminals, by the executioner, who threatened, if his demand was not complied with, to compel them to pass through protracted sufferings before their death, instead of terminating their existence by a single blow.

A short time before this occurrence, the crew of a vessel, the piratical character of which was no matter of doubt, had been taken near Megaris, and brought into Syracuse as captives. The people, who had often seen the severity of Verres mercilessly exercised upon the guiltless, expected that he would certainly not allow those who were actually culpable to escape. But they were little acquainted with the full baseness of character possessed by their iniquitous governor. All the youthful and able-bodied among the criminals were presented as slaves to his friends, instead of being brought to condign punishment. The captain of the vessel was remanded to secret confinement, in the hope that he might offer an extravagant bribe for the preservation of his life. A few of the more aged or less prepossessing in appearance

among the pirates were publicly put to death; but since the people, as yet unsatisfied, were loud in demanding the punishment of the whole, Verres ordered a number of Roman citizens, who had long been confined in his dungeons, to be led forth with their heads and faces carefully muffled, that their features might not be recognised, and, rejoicing in the opportunity of ridding himself of all further anxiety on their account, caused them to be barbarously executed in the place of the real culprits.

Against this enormous criminal, it might have been expected that the efforts of Cicero would be seconded by the horror and indignation of all ranks and classes at Rome, and that the general voice of humanity would be raised to insist upon the condemnation of an individual who had so repeatedly and unblushingly violated every one of its laws. Whatever might have been the feelings of the common people upon the subject, however, Verres found a numerous and powerful party among the patricians, ready to stand forth in his defence. He had been heard to boast, that he should be very well satisfied to expend the proceeds of two years of spoliation in defeating the ends of justice, provided he were allowed to retain for himself the profits of the third. The result proved that no efforts of the higher orders in his favour were unpurchaseable. Hortensius, though almost on the point of being declared consul elect, assumed the title and offices of his patron and partisan, and a crowd of the distinguished nobility followed his example. Such was, at this time, the disgraceful countenance afforded by the most eminent in dignity and title to a monster of injustice when threatened with the punishment due to his guilt! the most sarcastic commentary upon which is to be found in the pleadings of Cicero in this cause, who asserts that the people of the subject provinces had actually formed

the design of petitioning for a repeal of the existing law against extortion on the part of the Roman magistrates. "And there can be no doubt," he argues, "that they would be greatly benefited by the change. For, in that case, the governors sent into the provinces would be content to plunder only to a sufficient extent to accumulate immense fortunes for themselves. At present they are obliged, in addition to this, to acquire enough to serve as bribes for their future judges at home."

The first difficulty thrown in the way of the prosecution was the appearance of a rival advocate. The ambassadors from Sicily, after laying their grounds of complaint before Cicero, had reminded him of his promise made at Lilybæum, on the expiration of his quæstorship, of exerting his abilities and influence in their favour, if these should at any future time be needed, and earnestly entreated him to fulfil his agreement by taking the lead in the proceedings against their late oppressor. But, before entering on the impeachment, he was opposed by Quintus Cæcilius Niger, a Sicilian by descent, who had recently filled the office of quæstor to Verres, and who, although he pretended to act as his accuser, in consequence of certain injuries received at his hands, was more than suspected of having been bribed by him to dispute the prosecution with Cicero, and, if successful, to ruin the cause of the Sicilians by managing it in a manner best suited to the interests of the defendant. This first plan, however ingeniously devised, completely failed. The oration of Cicero against the claims and pretensions of Cæcilius, still extant, and which is of the kind to which the Romans gave the technical name of "Divinatio," left his antagonist without a prospect of success, and he was accordingly appointed to arraign the official conduct of the ex-prætor according to the usual form*. For the purpose of collecting the

* Dr. Middleton, following Asconius, states, that the "Divinatio

requisite evidence, he paid a second visit to Sicily. Here he was at once presented with the most palpable proofs of the misery and want induced by the pernicious government of Verres. The fertile districts of Ætna, Agyra, and Leontium, which he had left, four years before, waving with harvests, or glowing with the richest vintages, presented the aspect of wild and melancholy wastes; being as completely desolated by the hand of civil tyranny, as if they had been the theatre of a protracted and destructive war*. "On every side," says the orator, "the fields appeared to mourn the loss of their former tenants, and to implore the hand of the cultivator; and in the midst of the most productive part of Sicily, I looked for Sicily in vain†." After spending fifty days in the several cities, where he diligently employed himself in examining witnesses and selecting the best supported cases of oppression from an innumerable list of charges, he again returned to Rome, laden with additional honours by the people whose injuries he had undertaken to avenge, to bring the cause of Verres to a speedy issue.

It was now the policy of the friends of the accused to defer the trial until the early part of the ensuing year, when many of them would be in office, and the places vacated by several of the present judges filled by others, upon whom the expedient of bribery

in Cæcilium" was pronounced by Cicero after his election to the ædileship. That this could not have been the case may easily be proved. The first oration against Verres, as appears from a passage in the speech itself, was delivered on the 5th of August, "*Non sunt hodie Sextiles, horâ nonâ convenire cœpistis.*"—In Verr. i. 10; and in this Cicero states, that the comitia were only just over—"His diebus paucis comitiis consularibus factis." Yet, fifty days were spent after the Divinatio in collecting evidence in Sicily. See "*Fasti Hellenici*," iii. 167.

* In Verr. iv. 18.

† Campus Leontinus sic erat deformis atque horridus, ut in uberimâ Siciliæ parte Siciliam quæreremus.—*Ibid.*

might be tried with a more favourable result. It was also imagined that L. Metellus, at the time prætor elect of Sicily, who was known to favour the interests of Verres, would then be able to terrify the Sicilians into a total abandonment, or but a feeble prosecution of their claims to justice. But the prudence and activity of Cicero disappointed all these expectations. Instead of employing a hundred and ten days, the space he had at first demanded, in his investigations in Sicily, he had, as has been seen, made all the necessary preparations in less than half the time; and finding, at the commencement of the trial, that the partisans of Verres were indulging themselves with the hope that the cause would be opened by long speeches on the part of the rival advocates; by which means the intervention of the public games and holidays would have transferred the proceedings for ultimate decision to the tribunal of a different prætor, he determined upon adopting the plan of bringing forward the evidence at once, without any lengthened introduction or comment, and relying for success on the weight of the testimony of his witnesses alone. Of the noble series of orations, therefore, which are published under the title of his "Pleadings against Verres," the first alone was actually delivered before Marcus Glabrio, the presiding magistrate. Hortensius finding that he had only witnesses to cross-examine, and that he was precluded from the possibility of delaying the cause by frivolous objections and protracted replies, abandoned the defence as hopeless; and Verres, well knowing, from the mass of evidence arrayed against him, what must inevitably be the sentence of his judges, withdrew into voluntary exile. The fine laid upon his estate by the estimation of Cicero, fell far short of what had been anticipated, and, indeed, of what his accuser himself had originally proposed; and there is some difficulty in accounting

for this after display of leniency. He was not, however, suffered to escape that fate which, either sooner or later, is generally found to overtake the shedder of innocent blood. After many years of comparative penury, induced by his extravagance, in which he is said to have been relieved by his former prosecutor, he was proscribed by Mark Antony for some of the works of art still in his possession, which he had acquired during his prætorship in Sicily, and soon afterwards assassinated by the ready agents of the triumvir.

The orations of Cicero in the cause of Verres, exclusive of the opening speech against Cæcilius, are six in number, and each may be considered a model of impassioned and indignant eloquence. That entitled "De Signis," on the subject of the spoliations committed by Verres in regard to works of art, has been often deservedly admired; but the sixth, "De Suppliciis," or respecting the unjust punishments inflicted by the prætor, passages from which are to be found in almost every work yet published upon oratory, rises far above the rest in dignity, energy, and pathos. The narration of the death of Gavius, with all its aggravated circumstances of horror—the unjust condemnation of the criminal—his useless appeals to his Roman citizenship—the indignities inflicted upon him before his execution, and his agonising death within view of the Italian shore,—is sufficiently known, and cannot but be considered as well entitled to the commendations hitherto bestowed upon it. But descriptions, equally affecting, abound throughout the whole speech; which Cicero never exceeded, in the particular merits for which it is famous, even when his reputation was at its height. The noblest figures are so thickly scattered throughout it, that it would be difficult to select a page from which the art of rhetoric might not receive some new

and appropriate illustration; and, notwithstanding the well-authenticated fact of its never having been really spoken, so strong is the delusion of the art with which it has been composed, that it is almost impossible to believe it to have been anything but the extemporaneous effusion of an anger and pity armed with extraordinary energy of utterance by the singular magnitude of the offences and injuries to which these feelings owed their birth, and supplying the speaker with expressions, which appear to mount just as the excited feelings of his audience might have been expected to demand successive additions to their vividness and strength. Nor is the power of fervid accusation and blighting sarcasm contained in this, and in all the other orations upon the same subject, less remarkable; under which, if he had been hardy enough to abide his trial to its conclusion, the convicted criminal must have stood forth as a withered and abhorred object of popular scorn and execration*.

* Not to dwell upon the famous description of Verres in his dissolute seclusion at the springs of Arethusa, and his appearance at the departure of the Sicilian armament—"Stetit soleatus populi Romani prætor," &c. it would be difficult to exceed in satiric point the less commonly quoted account of his winter retirement at Syracuse, and summer progress through the various cities under his government. "In the first place," says his accuser, "hear how easy this illustrious personage, rendered, by exercise of reason and discretion, the labour of moving from one spot to another, which is of the greatest importance in all military operations, and especially needful in the province of Sicily. During the winter season he took care to provide an honourable refuge against the severity of frosts and the force of rains and tempests, by selecting as his abode the city of Syracuse, which is blessed by Nature with so favourable a situation, and so pure an atmosphere, as to give authority to the saying, that no day was ever known to pass there, however dark and stormy, during which the sun was not visible at some hour; and in this retreat the illustrious general spent his winter months in such a manner as seldom to be seen, I will not say beyond his threshold, but even out of his bed—wasting equally the contracted days and

There can be no doubt that the rhetorical abilities of Cicero were considered as, at least, equal to those possessed by the most illustrious pleaders who had yet graced the Roman Forum, in consequence of these splendid exhibitions of talent. It is, however, evident, that his exertions against Verres were far from ensuring him any favour on the part of the nobility. From certain expressions, in his first speech in the cause, it may be inferred that his life was actually threatened, and all but attempted, though the agency of some of the more powerful partisans of the accused prætor, while he was on his way from Sicily. And, unquestionably, the haughty indignation of the Scipios and Metelli might be expected to

lengthened nights in revelry and licentiousness. When, however, the spring made its appearance, and the commencement of this season was signified to him, not by the breathings of Favonius, or the sight of any star,—since it was only when his attention was attracted by the first full-blown rose presented to him, that he conjectured the spring to have actually begun—he at length summoned resolution enough to devote himself to his toilsome and fatiguing journeys, in which he afforded so remarkable an example of activity and endurance, as never to be seen even on horseback. For, after the manner of the Bithynian kings, he was carried in a litter borne by eight attendants, reclining on a pillow composed of the transparent muslin of Melite, stuffed with roses, with a garland of the same flowers upon his head, another round his neck, and holding in his hand a reticule, also filled with roses, made of the finest lawn, and embroidered with minute spots, which he frequently applied to his nostrils. After reaching in this guise the place of his destination, he was carried in the same litter, without alighting, to his very bedchamber. Thither assembled the Sicilian magistrates, as well as the Roman knights; and in this shameful retirement, as you have heard from many witnesses, causes were secretly heard, the decisions in which were afterwards reversed openly. After thus spending a short time in giving sentences, according to the sums offered him by way of bribe, rather than from any regard to the justice of the case, his remaining hours were devoted to intoxication and sensuality.” (In Ver. ii. cap. vi. 11.) It would be easy to adduce similar instances, did the limits, to which a popular work is necessarily restricted permit, or were not the ablest orations injured by the citation of unconnected passages.

be aroused, to no limited extent, by the boldness of one who was not yet even entitled to the contemptuous appellation of "a new man," in attempting to drag to merited justice the culprit whom they were bent upon defending. Another cause for the hatred of the upper ranks must have existed in his style of comment upon one of the most important concessions lately made to the nobility. The privilege of constituting the "judices" or jury in criminal trials, after long fluctuating between the knights and senators, was, during the dictatorship of Sylla, at length determinately assigned to the latter. The middle classes clamoured fiercely for the repeal of this enactment, and the restoration of their judicial functions to the equestrian order, and Cicero was far from appearing at this time to controvert the propriety of the alteration. At all events, he holds forth the general feeling upon the subject as a salutary warning to those in office to perform their duties with an impartiality widely inconsistent with the general practices of the corrupt aristocracy of the time.

By whatever signs of dissatisfaction on the part of the rich and the powerful he might have been met, he proceeded, undismayed at their manifestation, and only ambitious of rising to further distinctions by honest and equitable means, to pass through the year of his ædileship in such a manner as greatly to increase his popularity with the middle and lower orders of Rome. The Sicilians, grateful for his late exertions, supplied him gratuitously with abundant stores of corn, which, instead of making them a source of private emolument to himself, he immediately transferred to the public stock, and by this means effected a considerable reduction in the general price of provisions. The public games in honour of Ceres, Bacchus, and Libera, as well as of Flora, and those known as the "Ludi Romani," consecrated to Ju-

Jupiter, Juno, and Minerva, the presiding divinities of the Capitol, all of which he has mentioned as incumbent upon him to regulate, were performed in the usual manner under his direction; and this year of his life is only further distinguished by his appearance for the defendants in two causes of considerable note. Marcus Fonteius, who had been for three years prætor of Gaul, was, on his return to Rome, impeached for various acts of misconduct in his province; Induciomarus, chief of the Treviri, being his principal accuser, and Marcus Plætorius the advocate entrusted with his impeachment. We are yet in possession of a considerable fragment of the speech of Cicero in his behalf, and there is too much reason to believe, from the line of argument adopted in it, that the accusations against Fonteius were, as usual in such cases, well founded. The oration for Aulus Cecina, the next in succession, delivered respecting the right possessed by his client to a certain farm, from the occupancy of which he had been prohibited by main force, beyond a display of considerable subtlety on the part of the advocate, possesses but little interest. Before the former of these causes was brought to trial the law of Aurelius Cotta began to take effect, by which it was ordained, that the "judices" should for the future be chosen from the senatorian and equestrian orders, with the addition of the ærarian tribunes. The commons had also by this time recovered no small degree of power, by the restitution of their original privileges to the tribunes of the people, whose authority had been for some time rendered, to a great extent, inefficient by the acts of Sylla. This alteration was produced by the exertions of Pompey, whose interest then consisted in paying court to the popular party, although, at a subsequent period, he thought it necessary to make an essential change in his policy.

In the general history of his country the period of the ædileship of Cicero is noted for the dedication of the new buildings of the Capitol, which had been burned by an accidental conflagration about five years before. The ceremony was performed by Quintus Catulus with extraordinary magnificence. Sylla, who had superintended the erection of this superb pile, the roof of which was overlaid with gold, at a cost of twelve thousand talents, or nearly two millions of pounds sterling, had complained upon his death-bed, that the presiding at its consecration was the only thing wanting to complete the uniform course of good fortune by which his life had been distinguished. It may be doubted, however, whether Sylla himself could have performed the ceremony with more lavish pomp than was displayed on the occasion. Pliny has particularly mentioned an instance of novel extravagance, in the introduction of an immense purple awning, extensive enough to shelter the whole assembled populace from the heat of the sun. Such incidental illustrations of the luxury of the times, scattered throughout the writings of ancient authors, although not intended directly to illustrate the subject, throw no small light upon the causes of those civil commotions by which the commonwealth had lately been distracted, and to which it was soon again to be exposed. A nobility lavishing vast fortunes upon the entertainment of a single day—a people wholly engrossed by the expectation or enjoyment of such amusements, and so long as they were afforded, careless by whom, or from what sources, they were provided;—surely, if all other causes were wanting, we need not look much further than these to discover the fertile occasions of a violence and anarchy necessarily terminating at length in the most frightful form of despotism.

CHAPTER III.

Election of Cicero to the Prætorship—His Impartiality in the Trial of Licinius Macer—Orations for Cluentius and Fundanius—Speech in Defence of the Manilian Law—Manilius is impeached before Cicero for Peculation—First Letters to Atticus—Conspiracy against the Consuls Torquatus and Cotta—Oration of Cicero for Publius Cornelius—Consulate of Lucius Julius Cæsar and C. Marcius Figulus—Cicero prepares to sue for the Consulship—Meditates the Defence of Catiline—Delivers his Oration “in Togâ Candidâ”—He is elected Consul—Origin and Progress of the Catilinarian Conspiracy—Cicero defends Quintus Gallius.

THE popularity which Cicero had acquired during his ædileship was sufficiently shown to be undiminished, when, two years afterwards, he offered himself as candidate for the dignity of prætor. His talents and his readiness to exert them for the benefit of his fellow-citizens, had, by this time, caused him to be held in such general estimation, that his house upon the Palatine Hill, the same which had been occupied by his father on his first removal to Rome, was daily frequented by as numerous a multitude as thronged to the levees of Pompey and Crassus. The former did not think it unbecoming his dignity to court him openly by every mark of respect, and to the influence of this powerful ally he doubtless owed much of the facility with which his election was carried. Of the eight prætors chosen he was returned the first by all the centuries; but as he speaks, in one of his earlier epistles to Atticus, in terms far from commendatory of his competitors for office, this honour must be considered as, in no small respect, qualified by accompanying circumstances. The time of the election had, indeed, been delayed in consequence of malpractices on the part of those who were seeking for the higher

magistracies, which had become so notorious, that it was considered necessary to take extraordinary steps against them by the introduction of the Calpurnian law, ordaining that whoever should be guilty of bribery or corruption, in any shape, while canvassing the people, should not only be heavily fined, but declared incapable of holding office, or taking his seat in the senate. The enactment caused considerable commotion, but so necessary did it appear, from existing circumstances, that the senators determined that no magistrates for the ensuing year should be chosen until it had assumed the form of a binding statute.

In the early ages of the republic, justice was administered by two prætors alone, whose tribunals, distinguished by the simple insignia of a spear and sword, planted upright before them, were publicly erected in the Forum. The first of these magistrates, the "prætor urbanus," decided disputes between the citizens; the second, or "prætor peregrinus," those in which one or both of the parties might happen to be foreigners. But as the population of Rome and the extent of the Empire increased fresh prætors were, from time to time, created. During the dictatorship of Sylla, and for some years afterwards, eight were annually elected, six of whom, while the civil actions were determined by two of their number as before, took cognizance of criminal charges, classed under as many heads and entitled "questiones perpetuæ;" as the jurisdiction in each belonged exclusively to a particular prætor throughout the year of his office. The division was as follows: I. Cases involving extortion. II. Bribery and corruption. III. Crimes against the majesty of the state or cases of treason. IV. Peculation. V. Forgery;—and VI. Murders committed either by force or by poison. In the assignment of these subjects by lot according to the usual custom, Cicero was appointed

to the office of presiding at trials under the first head. His conduct under the high trust which his countrymen had now devolved upon him is mentioned as remarkable for justice and impartiality, of which an instance was given in the cause of Licinius Macer, a person of prætorian dignity who was accused before him soon after his entering upon office. The defendant in this action was so confident of his influence with the judges, and in the support of Crassus, with whom he was on terms of intimacy, that on the day of trial he laid aside the usual mourning dress worn by persons in such circumstances, and returned home from the Forum in great state and amidst a multitude of his friends, as if he had been certain of his acquittal. But the cause was so equitably managed by Cicero, that the judges, attending solely to the evidence they had heard, unanimously gave sentence against him ; a verdict which proved fatal, if the ancient historians are to be believed, to the accused, who is recorded, on the receipt of the intelligence from his patron Crassus, to have taken immediately to his bed, and to have died, a short time afterwards, from the effects of grief and disappointment. In his fifth epistle to Atticus, Cicero asserts that his decision in this cause was productive of singular and incredible goodwill towards him on the part of the people ; and that he had gained more advantage, by his impartiality on the occasion, than could have accrued to him by the favour of the accused if he had acquitted him. This brief, but expressive remark, may lend material assistance towards a due appreciation of the kind of justice administered in those ancient courts, which have sometimes been mentioned in terms of unmerited eulogy, since we not only find by it an unbiassed decision recorded as a subject of popular wonder and applause, but that even the magistrate who had delivered it, could not contemplate without some compla-

gency, the probability of not being a loser by giving sentence according to his own convictions respecting the merits of the cause.

As his office of prætor by no means precluded him from occasionally exercising his former functions as advocate, he appeared this year for the defendants in more than one remarkable trial; delivering among others, the subjects of which are unknown, his oration for Aulus Cluentius Avitus, who was accused of poisoning his father-in-law Oppianicus. The principal agent in directing the prosecution of Cluentius was his own mother Sassia, a woman whom Cicero paints in the darkest colours, and whose deceased husband Oppianicus had, some years before, been actually indicted for an attempt to poison the defendant Cluentius. The speech of Cicero in his behalf, though not in his best style, has always been considered a highly finished specimen of eloquence. The pleadings in the case of Marcus Fundanius, which are also attributed to the year of the prætorship of Cicero, are unfortunately to be numbered with those of which scarcely more than the titles are extant.

These had been preceded by the famous speech upon the Manilian law, the first which Cicero delivered to the people publicly from the rostra. Pompey, after being armed with the extensive powers conferred upon him by the statute of Gabinus, (by which he was empowered to fit out five hundred galleys and raise an army of a hundred and twenty-five thousand men against the pirates in the Mediterranean, in addition to possessing absolute authority over all places within fifty miles of the coast,) had made such good use of the extraordinary means placed in his hands, as within forty days of his appointment to have completely cleared the sea of the swarms of marauding vessels which had so long infested it; compelling such of the pirates as escaped the pur-

suit of his squadrons, to betake themselves for refuge to their strongholds in Crete and Cilicia, where they were speedily besieged by the Rôman land forces and reduced to extremities. But in the East the war against Mithridates, which had been nearly brought to a conclusion by the abilities of Lucullus, had once more assumed an unfavourable aspect. Caius Triarius, who had been appointed by that general, while preparing to return to Rome, to the chief command, until the arrival of his successor Acilius Glabrio, had been suddenly attacked by the enemy, and utterly routed with the loss of a hundred and fifty centurions, twenty-four tribunes, and common soldiers in proportion, besides that of his camp, which was taken and plundered by the victors. The people at Rome, discouraged by this severe and unexpected check, which reminded them of former defeats from the same able and still active antagonist, began to turn their eyes upon Pompey as the only person fit to be entrusted with the completion of the war, and their sentiments upon the subject were further confirmed by the news, that the army in the East, on receiving intelligence that Glabrio had been appointed to command them, had absolutely refused to follow him, and that he had consequently been obliged to stop short in Bithynia. At this juncture, therefore, the tribune Manilius, desirous of securing the favour of a powerful patron and gratifying the popular inclination, brought forward a law, proposing that the whole of the provinces of Bithynia, Phrygia, Lycaonia, Galatia, Cappadocia, Cilicia, Colchis, and the lesser Armenia, with the forces lately employed in the piratical war, in addition to those lately under the command of Lucullus, should be placed, with the full power of directing all future hostilities against Mithridates, in the hands of Pompey.

It was the ordinary custom, when any new act was proposed to the people, to expose it for three successive market days, in the Forum, that all might have an opportunity of inspecting it, before being called to determine by their votes upon its acceptance or rejection. On such occasions, those who were distinguished by the previous or present possession of the higher magistracies, for no others, with the exception of the tribunes, were allowed, unless by express permission, to ascend the rostra, harangued the multitude either for or against the intended statute. The law of Manilius met with vehement opposition from the greater part of the nobility, and more especially from Quintus Catulus and Hortensius, who placed themselves foremost in the ranks of its most determined opponents; the former honestly representing the danger of entrusting a power equal to that which Sylla had scarcely attained after years of opposition and bloodshed to any individual, however gifted or distinguished; the latter more speciously concealing the real grounds of his opposition by the argument, that the safety of Pompey was too valuable to be exposed, except on occasion of the most pressing necessities of the state.* Cicero successfully combated the arguments of both, and was the principal means of procuring the passing of the law; which Pompey, according to Plutarch, pretended to deplore, on receiving intelligence of its confirmation by the people, complaining that it placed too great a burden upon one already oppressed with the weight and responsibility of the charges committed to him. In his oration for the adoption of the Bill of Manilius, Cicero gives a powerful description of the magnitude and importance of the contest with Mithridates, and of the manner in which it had been conducted by Lucullus, of whom he speaks in terms of the warmest commendation. He then proceeds to define

* *Pro Lege Manilia*, xx.

the qualities requisite to constitute a general of the first order, under the several heads of military skill, conduct, authority, and good fortune, and proves each to be possessed by Pompey in the highest degree. The latter part of his address is devoted to answering and confuting the objections urged by Catulus and Hortensius. The whole speech is highly wrought, but, notwithstanding its polish and elaborate elegance, must for ever offend, by the character of servile adulation to the then popular idol which pervades it throughout. The incense of flattery has seldom been more profusely or less disguisedly offered, than in this instance of the degradation of genius to an ambition, which was afterwards found to be as incapable of appreciating, as it was of deserving the sacrifice.

Manilius, towards the end of the year in which he had carried his celebrated law, was, probably in consequence of the resentment of the nobility, assailed by a charge of extortion, and cited before the tribunal of Cicero to answer it. In taking cognizance of this cause, instead of assigning to the accused the usual period of ten days, for the preparation of his defence, Cicero allowed him, to the general astonishment, but one. For this apparent rigour he was forthwith cited by the tribunes to give an explanation of his conduct before an assembly of the people, and was received on his appearance with marks of strong disapprobation. But the popular indignation soon subsided on his proceeding to account for his supposed severity. He informed those present, that at the time when he received the accusation of Manilius, his office as prætor was within two days of expiring, and that he had therefore determined upon bringing on the trial immediately, in preference to suffering it to be transferred to another magistrate, from whom the defendant might not meet with so favourable a hearing as from himself. His excuse was considered as perfectly satisfactory, but the

people were not contented until they had induced him to promise, that he would himself undertake to appear as advocate in behalf of Manilius, whose intended trial had been prevented by the intervention of the tribunes. Such is the account given of the circumstance by Plutarch. The historian Dio, after stating that Cicero was really influenced by a dislike to Manilius in curtailing the time allotted for his defence, and only saved from the severe censure of the popular assembly, before which he had been cited, by the promise above-mentioned, adds, that the hearing of the cause was prevented by the tumults raised in consequence of the consular elections of the year, when Autronius Pætus and Publius Cornelius Sylla, who had been already appointed to the office, were impeached for corruption by Lucius Cotta and Lucius Torquatus, two of the unsuccessful candidates, and, being found guilty, were compelled to give up the honour to their accusers*. The story, in whatever way related, will hardly appear to contribute much evidence in favour of the strict impartiality of Cicero; with respect to whose speech on this occasion, we are only informed, that it abounded in censures of the ambition of the aristocracy, and of all who were envious of the growing power of Pompey. With the exception of these events, his prætorship seems not to have been remarkable for any occurrence of moment. It has been stated, however, that amidst the numerous claims to his attention, he still found leisure, while invested with this magistracy, to frequent the school of M. Antonius Gniphio, a rhetor-

* As a fragment of the oration of Cicero in defence of Manilius is quoted by Nonius, and as Asconius Pædianus has stated that the accused was actually condemned in default of his personal appearance to answer the indictment preferred against him, the testimony of Dio upon the subject may be regarded with suspicion. To reconcile the assertion of Asconius with the existence of the oration, it has been conjectured that the latter, although prepared in anticipation of the trial, was never actually pronounced in a court of justice.

rician of considerable note. Such an attendance may easily be conjectured to have been given, rather with a view of patronising and recommending the preceptor*, than with any hope of procuring much additional instruction in an art of which he was himself, at the time, the most finished master in Rome.

From the period of Cicero's election to the prætorship, a light begins to be thrown upon his actions and character, which would be vainly sought in the partial or mistaken testimony of contemporary or subsequent authors. This is to be found in his ample correspondence, than which a more valuable gift has never descended to subsequent ages amidst the multiplied treasures of antiquity. Although none of his letters to his other friends and acquaintance can be certainly proved to have been written prior to his consulship, we have eleven of his epistles to Atticus, of which one of the earliest mentions his intention of standing for the prætorship†. Several among these contain commissions for procuring certain statues from Athens, for the purpose of ornamenting his Tusculan villa‡. In one

* Middleton, *Life of Cicero*, 8vo, p. 85.

† *Ad Attic. lib. i. 11*. It should be mentioned, however, that the date of this epistle has been a subject of much difference of opinion, and that it has been thought, by some of the most eminent critics, to refer to his canvass for the consulate.

‡ Among them are particularly specified, several figures of Mercury (probably terminal) of Pentelic marble, with bronze heads; a number of Megaric statues, which seem to have been recommended to him in high terms by Atticus, and others of the kinds termed *Hermathenæ* and *Hermæraclæ*, or joint figures of Hercules and Minerva, or Hercules and Mercury. He also orders mouldings of figures, which were perhaps to be executed in terra cotta, for the ceiling of his atrium, and two embossed covers for his wells. He appears at the same time to have contemplated purchasing, at a future opportunity, a considerable part of the library of Atticus, since he requests him not to part with it, even if he should find a ready bidder, as he is carefully laying by all his earnings, with a view to procure this means of solace for his old age. His anxiety to obtain the statues, by the quickest means and at the earliest period

he laments the death of his cousin Lucius*, and in another mentions the decease of his father, without, however, making the slightest comment upon the event†. We learn in addition, that, about this time, his daughter Tullia was betrothed to Caius Piso, the son of Lucius Frugi‡, and that his family was increased by the birth of an infant son§. Allusions are also made to certain differences between his brother Quintus and Pomponia, the wife of the latter, and sister of Atticus; but these seem to have speedily ended in their reconciliation, chiefly by means of his intervention.

In his anxiety to make every effort for the acquisition of the consulate, he declined the province which he might have obtained at the end of his office as prætor, determining to spend the whole of the two years next ensuing in strengthening his interest with all classes, and in diligently canvassing for the highest honour in the power of his countrymen to bestow. The times, however, were not such as to promise a very tranquil enjoyment of the dignity, since they were already pregnant with those causes of dissatisfaction and lawless outrage, which ultimately issued in the conspiracy of Catiline. That daring and licentious profligate having just returned from his province of Africa, for the purpose of presenting himself for the consulship, and being deprived of all hopes of success by an impeachment for illegal extortion, preferred against him by Publius Clodius, a person of as abandoned principles as himself, formed, in conjunction with Publius Autronius and Cneius Piso||, a design of

possible, is sufficiently amusing, and in the true spirit of a collector, while his powers of appreciating art seem at least upon a level with those possessed by connoisseurs in general.

* Ad Attic. lib. i. 5.

† Ad Attic. i. 6.

‡ Ad Attic. i. 3.

§ Ad Attic. i. 2.

|| Sallust and Livy add the name of Pub. Sylla, who was afterwards defended against the charge by Cicero and Hortensius, and Suetonius affirms that both Cæsar and Crassus were concerned in the conspiracy. He even relates that Cæsar was to have given the signal for the assassination by letting his robe drop from his

assassinating the consuls, Torquatus and Cotta, in the Capitol, on the very day of their entrance upon their office. In consequence of the plot being suspected, the conspirators deferred attempting to carry it into effect until the month of February, by which time they had added a considerable number of senators to the list of their intended victims ; but the premature eagerness of Catiline, who gave the sign to his accomplices in front of the senate-house before they were fully prepared to obey it, caused the failure of this second attempt at the destruction of their opponents*. It is remarkable, that although the true character of Catiline must, assuredly long before this, have been well known to him, Cicero notwithstanding entertained the design of appearing as his advocate in the prosecution hanging over his head. As Clodius, who conducted it, was induced to drop all further proceedings, by bribery, the cause was never brought to trial ; yet in his correspondence with Atticus, the orator expressly affirms, that he is sincerely meditating his defence†, that the judges appointed are precisely those whom he could have wished, and that he hopes if the accused should be acquitted, to have his intimacy and support during their joint efforts for the consulate. His pleadings in favour of Publius Cornelius, who had been charged with treason in consequence of his persisting to read a bill he had brought forward before the people, in spite of the tribunitial negative placed upon it by his colleague in office, Servilius Globulus, may be easily believed to have been

shoulder, and was only deterred from doing so by the unexpected absence of Crassus, who, on the very eve of its execution, repented of the part he had taken in the design.—JULIUS, cap. ix.

* Sallust Bell. Cat. cap. xviii.

† Hoc tempore Catilinam competitorem nostrum defendere cogitamus. Judices habemus quos voluimus, summâ accusatoris voluntate. Spero si absolutus erit conjunctionem illum nobis fore in ratione petitionis.—Ad Attic. i. 2.

delivered for a worthier object, and in a much more reputable cause. The defence pronounced by Cicero in this case, in which Hortensius, Catulus, and several others of the chief nobility of Rome, appeared as witnesses for the prosecution, lasted four days, and was afterwards published in the form of two orations of considerable length. These have been mentioned in terms of high praise by Quintilian*, but whether his commendation was fully deserved or not, it is now impossible to judge, since, with the exception of a few unimportant and unconnected sentences, both have long been considered as having irrecoverably perished.

In his poem upon his consulship, as well as in his orations, Cicero has taken the pains of commemorating the close of the year of the chief magistracy of Torquatus and Cotta, as remarkable for many prognostics which indicated the desperate and atrocious designs then preparing against the state by Catiline and his accomplices; and he has been strictly followed†, in his leaning towards the marvellous and supernatural on this occasion, by Plutarch as well as Dio Cassius. According to these several authorities, thunders and apparitions, seconded by Etruscan prophecies and the mystic warnings of diviners, formed an appropriately solemn introduction to the plan of domestic treason, unsparing rapine and indiscriminate massacre, which was shortly to be disclosed and frustrated. As a matter of authentic history, however, perhaps not altogether devoid of interest, it may be observed, that at the time in question the Capitol, with its newly erected buildings, seems to have been visited with one of those tremendous storms, by which it was on several occasions materially injured. Several brazen statues were struck down by the lightning; the tablets of the same metal, on which some of the ancient laws of Rome were engraved,

* Instit. Oratör. lib. v.

† Plut. in Cic.

partially fused, so that the inscriptions upon them were rendered illegible; and the figures of Romulus and Remus, with the legendary wolf, struck to the earth, the latter leaving the traces of its feet, which were entirely melted by the flash, upon the supporting pedestal*.

With this ominous preface commenced the consulship of Lucius Julius Cæsar and Caius Marcius Figulus; a year celebrated not only in connection with the destinies of Cicero, in whose life it formed a memorable epoch, but as one of the highest importance in the history of his country. As he had now reached the age of forty-three years, at which he was allowed by law to present himself as an aspirant to the consular office, he assumed the dress and labours of a candidate for that honour, in suing for which, he had to oppose the exertions of no less than six competitors, viz.: Sulpicius Galba, Sergius Catiline, Caius Antonius, Cassius Longinus, Quintus Cornificius, and Licinius Sacerdos. Among these, Antonius and Catiline, who appear to have made common cause against the rest, conducted their canvass with such open and unblushing bribery, that the senate thought it necessary, by additional penalties, to strengthen the law against corruption. The tribune Orestinus, however, who was probably in the interest of the parties, interposed his authority to prevent the amended statute from passing, and it was on the occasion of this interference, that Cicero delivered the speech called by the critics "The Oration in the white toga;" in allusion to the dress which he at that time wore, in compliance with general custom. In this oration he seems, (judging from the

* De Divinatione, lib. i. cap. 12.

"Nunc ea Torquato quæ quondam et consule Cottâ," &c.

See also Childe Harold, Canto iv. stanza 88, "And thou, the thunder-stricken nurse of Rome," &c. with the accompanying note.

few passages which remain of it,) forgetting his former resolution of acting as his advocate, to have assailed Catiline as well as his confederate Antonius, with a strength of language from which the infamy of their characters might easily have been deduced, were it intimated only by the disjointed sentences of the invective which have reached us. The former is openly reproached for his murders, during the proscription of Sylla, and his notorious misconduct at home and in Africa; while Antonius is reminded, in forcible terms, of his extortions and oppressions in Achaia, for which he had been formerly impeached. The election of both, is characterised by the expressive metaphor of two daggers unsheathed at once against the safety of the commonwealth.* In this image there was more truth than either the orator or his auditory might at the time imagine. The famous plot laid by Catiline against the existing constitution and the lives of its principal supporters, was, in fact, now fast maturing, and although strict precautions had been used to prevent any suspicion of its existence, was not so closely kept secret, but that some faint intimations of its character had become matter of general conversation; chiefly through the means of Fulvia, the mistress of Quintus Curius, one of the most rash and heedless of the parties engaged in it; who, although she suppressed the names of her authorities, made no scruple of mentioning the general tenour of what she had heard to her acquaintances†.

In consequence of the undefined fear which, by this means, was spread among the nobility, (who, aware of some secret danger to themselves, although ignorant of its extent and the quarter from which it might be expected, forgot, in their desire to place a trustworthy person at the helm of government, the comparatively obscure origin of Cicero,) his

* Oratio in Togâ Candidâ—*sub fin.* † Sallust. Bell. Cat. cap. xxiii.

election was triumphantly carried, amidst the acclamations, as he tells us, of all classes and orders. Antonius was appointed his colleague, an honour which Catiline missed by the votes of but a few centuries. The plans of the conspirators sustained a serious check by the result of this election, which they had confidently reckoned, by the influence of Marcus Crassus and Julius Cæsar, who were equally opposed to Cicero, would end in his utter disappointment.

Although the minutest circumstances connected with its progress and termination have long been a matter of common history, it may seem not irrelevant, in a life of one whose name is intimately connected with it, to enter at this opportunity somewhat more at length into the objects of the plot which has been alluded to:—a design so infamous in character—so rash in conduct—and so desperate in its proposed results, as might have provoked and justified the scepticism of succeeding generations, had not every essential point been confirmed by the united testimony of two writers, attached during their lives to directly opposite parties; the first, a principal actor in its detection and punishment; the other, an eye-witness of the event, who would have possessed ample means for successfully impeaching the veracity of his political opponent, had it failed in any particular, and would have been but too happy to do so, if he had been furnished with the opportunity.

The miseries suffered by the people of Italy during the contests between Marius and Sylla, were by no means the only evils engendered by those times of terror and commotion. During the vigorous dictatorship of the latter, his firm and uncompromising policy, which suffered no violence to exist but such as directly promoted his own interest, kept the fiery spirits, by whose assistance he had mounted to ab-

solute and irresponsible dominion, in some degree of subjection. But at his death, vast numbers of those who had composed the strength of his armies were left without hope of further emolument or distinction. Most among them having learned to acquire a taste for Eastern luxury and profusion in the campaigns against Mithridates, had afterwards found ample means for gratifying it at the expense of their countrymen. The wealth which had been obtained by their violence, however, was speedily exhausted by their extravagance; and with every propensity to vicious indulgence unabated by their want of sufficient resources for satisfying it, they gloomily watched for the appearance of a leader possessed of a spirit like that of their old commander, or a favourable opportunity for renewing the civil discords which had formerly issued so much to their benefit. By a policy, moreover, of exceedingly questionable utility, so far as the interests of the state were concerned, although, no doubt, prompted by the soundest appreciation of his own advantage on the part of the dictator, instead of being suffered to disperse, when their services were no longer required, and to lose some of their lawless habits by contact with persons actively engaged in the peaceful occupations of civil life, they had been distributed in large bodies, under the name of military colonies, in different parts of Italy; where they had full opportunity of comparing among themselves, their present condition of inactivity and comparative privation, with the stirring and dissolute life they had formerly led, and of strengthening each other's resolutions to seize the earliest opportunity of starting on a fresh career of outrage and spoliation. Nor were these the only elements of which the brooding tempest was composed. Many of the nobility of Rome, inured under Sylla to every kind of excess, and accus-

tomed, in their earliest years, to the careless habits and reckless profligacy of a military life, had been unable to return, after the hazardous game on which they had entered was decided in their favour, to the more restricted course of pleasure warranted by the extent of their hereditary estates, but, plunging headlong into every kind of lavish expenditure, had incurred enormous debts, which they had not the remotest prospect of being able to pay, unless by the opportunity of rapine afforded by a new revolution. With bloodshed and cruelty, in their worst shape, they had been too extensively acquainted during the former contention and its attendant proscriptions to shrink from any such means of repairing their ruined fortunes, provided they appeared the readiest for effecting the desired object. There only wanted a fitting person to bring together and arrange for action such apt materials for an intestine convulsion of the most formidable nature, and by the unhappy complexion of the times, and the tendency of existing causes to produce the most astounding forms of depravity, the character required was not long in appearing.

After the description of the mind and person of Sergius Catiline, so vividly and powerfully traced by Sallust, it would be presumption to use, in alluding, to the same subject, any other words than those, by which the genius of this writer has rendered both immortal in the recollection of after ages. His portraiture of the most abandoned and flagitious traitor of that, or perhaps of any time, is, indeed, so well known, that it needs but the mention of the name of Catiline, to place before us the ghastly countenance, haggard expression, and unequal gait of the victim of his own unbridled passions, constantly haunted by the furies of remorse, and only gaining relief from recollections of past enormities, by

the feverish excitement caused by the meditation of crimes yet to come. Nor can a single stroke be added to that impressive delineation, with which all are acquainted, of a disposition at once subtle, versatile, and daring; of a covetousness in acquiring the property of others, only equalled by the profusion and extravagance which marked the thoughtless waste of its own possessions; of an ambition vast and unbounded, without the restraint of a single virtue to preclude its exercise, or of the slightest prudence to prevent its open display; and, lastly, of an eloquence perfectly adapted to seduce and mislead, united to bodily powers capable of incredible exertion, and a patience of fatigue, want, and privations, when such should be rendered necessary, as extraordinary as all the other features in the character of its lawless possessor. Without attempting to enlarge upon a picture not often equalled by historians or biographers, it may be remarked that Catiline was descended from a family often distinguished by civic honours, and considered one of the noblest in Rome. His earliest initiation into the vices for which he was afterwards notorious, was effected during the convulsions attending the elevation of Sylla to the dictatorship, in whose cause he distinguished himself as a violent and remorseless partisan. The first crime laid to his charge is the murder of his own brother, whose name he afterwards persuaded Sylla to insert in the list of the proscribed. His sister's husband, a Roman knight attached to no party, and remarkable for his mild and amiable disposition, is also recorded as having fallen, at the same time, by his hand. His assassination of Marcus Marius Gratidianus, a most estimable person, and nearly related to the famous chief Caius Marius, was marked by circumstances of singular horror and impiety. This unfortunate Roman having been placed in the proscribed list by Sylla, Catiline

undertook to perform the task of his execution. Accordingly, having entered the house of his victim, and exercised upon him the utmost inventions of insult, he at length finished his sufferings by striking off his head; which he carried, streaming with blood, through the public streets to the tribunal of Sylla in the Forum, coolly proceeding afterwards, to the disgust and indignation of all present, to wash his hands in the lustral water which stood before the temple of Apollo in the neighbourhood. An action of almost incredible enormity succeeded. On the death of his wife, having formed an attachment to Aurelia Orestilla, a woman of great beauty, but infamous for her conduct, and finding that strong objections were made by her to a marriage with him, on the ground that she was in fear of being obnoxious to his son, who had nearly reached the age of manhood, he is said summarily to have removed this obstacle to his nuptials by poison. His conduct, while prætor in Africa, has been already noticed as having subjected him to a prosecution on his return to Rome, in consequence of which he was obliged to withdraw from the list of candidates for the year. From this time he appears to have commenced that studious course of corrupting the younger branches of the Roman nobility, by pursuing which he was speedily surrounded by a band of followers, whose daring, under his instructions, was soon rendered equal to their licentiousness. The effeminate dress and bearing of these wretched profligates has been well described by Cicero, but they were far from being the least formidable of the enemies he had to encounter. Their features, though carefully adorned with paint and composed to an expression of elegant inanity, were not unfrequently darkened by the scowl of the assassin; and their long flowing vests, reaching, in defiance of prescribed custom, to their wrists and ankles, concealed not unfrequently the dagger, which

was promptly and unsparingly used on the slightest provocation. In addition to these, whoever was enslaved by vices which he had no means of gratifying, or rendered desperate by the consequences of former extravagance; those who were apprehensive of punishment for past offences, or who wished to commit them in future without any such cause of dread, together with the ambitious and the discontented of all classes, found in Catiline a ready adviser and a friend. To the sensual he lent himself, as a ready instrument in their excesses; for the necessitous he procured money, or the forbearance of their creditors; towards such as were desirous of public honours he promised all his interest and influence, neither of which was inconsiderable; while to all he held out the prospect of a general act of insolvency, a proscription of the richest citizens, and the speedy diversion of every office of trust and emolument, which he represented as monopolised by a haughty and tyrannical aristocracy, to the service and exaltation of his own personal adherents.

The conspiracy of Catiline was not one of the people, since we find that the lower orders of Rome were not only panic-struck at its disclosure, but enthusiastic in their gratitude, when the danger it seemed to threaten was averted. Neither was it one of the nobility, as these were, to a great extent, the victims marked out by it for destruction. It appears to have recognised no great principle, nor to have contemplated any single object beyond the satisfying of the passions of the moment, and the transfer of power to the hands of a faction who would have used it, to the utmost extent, simply as a means of plunder, and for the summary removal of those who had hitherto stood in the way of their possessing it. From such trivial incentives was a revolution, of the most tremendous kind, deliberately planned and entered upon, in a city, where the long familiarity of

its inhabitants with all the different shapes of internal discord can alone account for the apparent disparity between the cause and its effects. Dark and revolting as were the means by which it was proposed to be carried into execution, it numbered among its promoters several of the noblest names of the state. Suspicion, with perhaps some reasonable ground at the time, ventured to point out those of Marcus Crassus and Julius Cæsar. That of Caius Antonius, the colleague of Cicero, as well as of his nephew, afterwards the triumvir, was more openly added. From what we know of all four, the charge, however serious, does not appear by any means incredible. The connivance of Crassus has been accounted for by his jealousy of the extraordinary honours lately conferred upon Pompey, and his hope of easily making himself the chief person in the state, in the absence of his rival, if the designs of Catiline succeeded*. But although, like those mentioned with him, as well as others among the nobility, he might have secretly excited or encouraged the conspirators, it is certain that he was too cautious to implicate himself in the consequences of their failure, by such a close connexion with them as might place him in the position of a direct accomplice. Those of senatorial rank, who were prevented by no such fears from distinguishing themselves as active leaders in the plot, were, in addition to Catiline, Publius Lentulus, surnamed Sura, a patrician, who had formerly held the office of consul†, but having been expelled by the censors from the senate on account of his infamous character, was endeavouring to regain his former station by the usual course of

* Sallust. Bell. Cat. cap. xxvii.

† In conjunction with Cneius Aufidius Orestes, A. U. C. 683. Lentulus was at this time married to Julia, the widow of Marcus Antonius, surnamed Oretensis, and mother of Mark Antony. Hence the first cause of the hatred of the latter, who had been carefully educated in the politics of his step-father, towards Cicero.

public honours, and was actually prætor when the conspiracy broke out; Publius Autronius, who had been the colleague of Cicero in the quæstorship; Cassius Longinus, who has been before named as an unsuccessful candidate for the consulship; Caius Cethegus and Servius Cornelius Sylla, both members of the noble house of the Cornelii; Lucius Vargunteius, Marcus Portius Læca, Lucius Bestia, and Quintus Curius. The equestrian order was represented by Marcus Fulvius Nobilior, Lucius Statilius, Publius Gabinus Capito, and Caius Cornelius. Besides those whose exertions were principally confined to the capital, several persons occupying high stations in the colonies and municipal towns, were engaged to advance the cause of the confederacy. Cneius Piso, who had been engaged in the design of assassinating the consuls of the former year, would have been one of its most serviceable members, had he not been despatched by the senate, in their desire to remove so mischievous a citizen to a distance, into Spain; where, fortunately for his countrymen, he was set upon and slain by an armed escort of the natives to which he had entrusted himself, in consequence of his cruelty and extortion*.

The first convention of this audacious band took place, according to Sallust, on the calends of Junet†, in the year of the city six hundred and ninety, while Cæsar and Figulus were yet consuls, and consequently before the comitia or popular assemblies had been held for creating the public officers of the ensuing year‡. The meeting was held in a private apartment of the

* Sallust. Bell. Cat. cap. xix. This historian, however, mentions that, in the opinion of some, he had been assassinated by the orders of Pompey.

† The *Calends*, from an old word, signifying to proclaim or call, from the circumstance of their being, in ancient times, publicly announced by the priests to the people, were, as it is well known, invariably the first day of the month.

‡ Among the Romans, the great officers of the state were often

house of Catiline, whose speech on opening their deliberations, although in all probability fictitious like most of those recorded by the ancient historians, has been given at length by the writer cited above. We are informed by the same authority, that the obligation to secrecy, impressed upon all present by the most solemn oaths, was said to have been rendered still more binding by the horrible ceremony of handing round a goblet of human blood, which the assembly tasted in succession*. Dio Cassius, an historian of less weight, has even gone so far as to affirm, that Catiline sacrificed a boy upon the occasion, and after the oath of mutual fidelity had been repeated by the confederates over his entrails, actually partook of them, in conjunction with his companions†. The design of his first council was to inflame the conspirators by a representation of the unbounded wealth and luxury enjoyed by one part of the community, while others were suffering all the extremities of want, and to represent the condition to which they had reduced themselves as one of miserable slavery, while that which they hoped speedily to realise was disguised by the specious name of freedom. He

chosen some months before actually entering upon the exercise of their several duties. This regulation was adopted in order that ample time might be given for inquiring whether they had been elected without the employment of undue influence, whether all the legal forms had been observed, or, lastly, whether their return had been sanctioned by the auspices which were carefully taken at the time, and in which the occurrence of a single unfavourable omen, or the false report of one on the part of the augurs, (a stratagem not unfrequently employed against a candidate not in the favour of the nobility,) was sufficient to render the whole ceremony void. In the earlier periods of the republic the comitia were held in the January or February preceding the March in which the consuls entered upon their office, but in later times, when the ceremony of their inauguration was performed on the first of January, late in the July or August of the preceding year.

* Sallust. Catilina, xxii.

† Dio. xxxvii. 30.

then enlarged upon the facilities afforded by the present juncture for a bold attempt against the existing government, representing that multitudes were dissatisfied with their condition, and only waiting for an opportunity for altering it; that one of his friends was at the head of an army in Spain, and another in Mauritania; while the main strength of the Roman forces was absent with Pompey, on an expedition of great difficulty and doubtful issue. He finally exhorted them to use all their influence for securing his return as consul in the ensuing election, as the first and most important step towards their success, after which it would be easy to debate upon the means of turning the advantage they had gained to the best account in forwarding the grand design of the conspiracy.

But when the consular comitia, instead of terminating in the advancement of Catiline to the honour he had contemplated, had elevated to the post of chief magistrate a man whom he well knew to be totally opposed to his principles, and incapable of being brought over to his design either by bribery or intimidation, he began, under the influence of disappointment at his repulse, to make preparations for the general rising, which he had reserved as his last expedient, in case the renewed attempt which he intended to make for the consulate in the following year should, like the first, prove unsuccessful. With this view he began to send arms and money, procured either by his own credit or that of his friends, to several towns of Italy which he had fixed upon as the focal points of the insurrection; and more especially to Fæsulæ in Etruria, where Manlius, once an officer in the army of Sylla, and one of his most trusty associates, was already exciting and organising an extensive revolt among the common people. He, at the same time, redoubled his efforts to add to

the number of his partisans in the city, enlisting daily among them such as were most burthened with debt, and restricting his exertions by no regard to sex ; since, according to Sallust, he intended to employ his female allies in the service of inducing the slaves to aid him, if necessary, in the design of firing the city, which he had begun to contemplate, as well as in gaining over their husbands to his cause, or insidiously affording him an opportunity for destroying them if they should prove refractory.

In the midst of these preparations Antonius and Cicero, differing as widely as possible in policy, character, and intentions, entered upon the consular office. The year of their election, however, must not be dismissed without mentioning, that, towards its close, Cicero is supposed to have delivered his oration in defence of Quintus Gallius ; who had been accused of bribery and corruption in canvassing for the prætorship, in consequence of his having, previously to the comitia, exhibited a gladiatorial show to the people. All that we know further respecting this cause is, that the prosecutor was Marcus Calidius, whose manner of conducting it Cicero has cited, in his " Brutus," as an instance of the advantage of action and energy in public speaking. The plaintiff it appears, among other accusations, asserted that Gallius had attempted his life by poison, but produced his charge and its proofs, which were sufficiently strong, in so languid a manner, and in so unimpassioned a voice, that his opponent availed himself of them in managing the defence, and argued, that it was impossible that an assassination could have been really attempted, of which the person who pretended to have been marked as the victim could speak with so little emotion*. This was, certainly, turning to some purpose the acknowledged connexion between emo-

* De Clar. Orator. lxxx.

tion and expression, but it was, at the least, a singular way of answering direct evidence. The idea, moreover, could not be considered entitled even to the merit of originality, since it is to be found in a passage in the life of Demosthenes, well known to every classical reader.

CHAPTER IV.

Consulate of Cicero—He opposes the Agrarian Law of Rullus—Appeases the Tumults, in consequence of the theatrical Law of Roscius Otho—Defends Rabirius—His Oration “*De Proscriptorum Liberis*”—Progress of the Catilinarian Conspiracy—The Senate assembled by Cicero to debate upon the subject—Decree in consequence—The Conspirator Manlius set out for Fiesulæ—Attempt to assassinate Cicero—He assembles the Senate at the Temple of Jupiter Stator, and delivers his first Oration against Catiline, who departs in consequence from Rome—Second Catilinarian Oration—The Prætor Lentulus carries on the Conspiracy in the capital—Cicero undertakes the Cause of Licinius Murræna in opposition to Cato—Conference of the Conspirators with the Ambassadors of the Allobroges, who divulge the Plot—Arrest of Lentulus and his Companions—Meeting of the Senate in the Temple of Concord—Third Catilinarian Oration—Debate respecting the punishment of the Conspirators—Speeches of Cæsar and Cato—Fourth Catilinarian Oration—Execution of Lentulus, Cethegus, Statilius, Gabinus and Cæparius—Honours conferred upon Cicero—His Vanity—Campaign against Catiline, who is defeated and slain at the Battle of Pistoria.

THE words addressed by the new consul in the senate house to the tribunes of the people, after he had performed the customary inaugural rites in the temple of Jupiter Capitolinus, contained no exaggeration of the difficulties by which his office was surrounded. “You have delivered a State into my hands,” he remarked, “disquieted by suspicions, vacillating under the influence of doubts and fears, and violently agitated by your seditious laws and harangues; you have inspired the worthless with hope, and the excellent with dread; while you have removed all confidence from the Forum,

and all dignity from the Government."* This unpromising picture of affairs was drawn, not in consequence of the more secret conspiracy which was meditating against the state, but under the influence of the indignation excited by the Agrarian law of the tribune Rullus, which Cicero was obliged strenuously to combat on the very threshold of his consulate, and which, if carried, might have spared Catiline and his accomplices at least some part of the labour of their attempt to subvert the constitution by open force.

The law to which allusion was made in such unfavourable terms, although, from the subjects it embraced, entitled to be classed with those called by a general name "Agrarian," was very different from the wise and equitable acts formerly proposed by the Gracchi and others, the true character of which, we are now enabled by the genius of Niebuhr to comprehend somewhat better than formerly. According to the proposed statute of Rullus, ten commissioners were to be chosen by seventeen tribes, to be selected by lot out of the thirty-five, with unlimited powers for the execution of the commission with which they were to be charged during the next five years. These were empowered to sell all the territories in foreign countries which, subsequently to the consulate of Cor. Sylla and Q. Pompeius Rufus† had, by conquest or otherwise, been added to the dominions of Rome, as well as a great part of the lands belonging to the state in Italy; to determine what should be considered public and what private property throughout the empire, and to convert one into the other, as should seem expedient; to place a heavy tax‡ upon all the lands held by Roman tributaries, and to lease out at their pleasure, in the districts where they were situated, all the revenues derivable from such sources; although this

* De Legē Agrariā, i. cap. 8.

† A. u. c. 665.

‡ De Lege Agrariā, i. cap. 4.

ceremony had hitherto been invariably performed by the censors in the Forum, and in full sight of the assembled people*. With the money thus raised, *which was to be increased by all the property lately gained by general officers serving in the army, (Pompey alone being excepted,)* whether reckoned under the head of presents from the provincials, donations from the state, or the ordinary spoils of war†, and not yet expended on public buildings, or placed at the service of the commonwealth, it was proposed to purchase certain districts in Italy to be divided among the people, who were to be conducted as colonists into such places as the decemvirs should afterwards think fit; Capua and the country around it being especially pointed out as a suitable spot for the location of five thousand citizens, who were each to receive ten acres of land. The last clause directed, that all estates and possessions publicly granted, sold, or assigned to any persons since the consulship of Marius and Carbo, should be considered rightfully and inalienably to belong to the parties who held them at the time. This addition was made for the especial benefit of those who had become purchasers of the property of the victims to Sylla's proscriptions, which that tyrant had ordered to be put up to sale, and which had consequently been obtained at low prices by his adherents, the only persons likely to bid for it. The titles of these were now every day liable to be called in question, since the Marian faction was once more beginning to rise into repute, and it was, therefore, with no ill founded expectation of enlisting their interests on ^{his} side of the question, that Rullus had introduced the recognition of their claims into his act.

* De Lege Agraria, ii. cap. 21.

† Aurum, argentum, ex prædâ, ex manubiis, ex coronario, ad quoscumque pervenit, &c. Ibid. xxii.

The orations delivered by Cicero on the Agrarian law appear to have been four in number. The first of these is imperfect; the second and third are yet entire; but the fourth has completely perished. In haranguing the Senate on the occasion, he no doubt found an audience, for the most part, perfectly disposed to assent to the truth of his arguments; but his address to the people in the Forum, upon the same subject, must have required the utmost skill and ingenuity to ensure a patient hearing from the multitude, who had been dazzled by the specious promises of Rullus, and the apparent benefits to be conferred upon themselves by his proposed regulations. Both are exhibited, in the highest degree, in the address which has come down to us as that by which he defeated the designs of the ambitious tribune, who was, unquestionably, contemplating little less than dictatorial power for himself and those who might be associated with him in his efforts to obtain it, in the character of Agrarian decemvirs. The introductory sentences, in which the orator returns thanks to the people for the distinguished honour they had conferred upon him, in electing him to an office in which the nobility had, for the most part, hitherto proudly entrenched themselves,* to the exclusion of those of inferior birth, notwithstanding the absence of any claims of his own on the score of ancestry, are inimitably modest and elegant. He is especially careful not to offend the prejudices of his hearers by any expressions of disrespect directed against Agrarian laws in general, and speaks in terms of profound veneration of Tiberius and Caius Gracchus, whom he terms renowned and devoted patriots. After thus soothing his auditory into attention, he attacks in succession the various clauses in the law of Rullus, which he triumphantly proves to be

* Locum quem nobilitas præsiidiis firmatum, atque omni ratione obvallatum tenebat.—*De Lege Agraria*, ii. cap. 1.

arbitrary, capricious, and ill defined ; calculated to confer unbounded authority upon a few individuals, but in the highest degree dangerous to the state, and detrimental to the best interests of its citizens. Above all, he attempts to excite their fears of the rivalry of Capua, if increased by so formidable an addition to its inhabitants ; and points to the insecure tenure on which all property must be held, if subjected entirely to the disposition of a board of rapacious commissioners ; as well as to the danger which must threaten Rome ; when Rullus, by virtue of the authority vested in him by his own law, might at any time, if it should so please him, seize and fortify the Janiculum itself, as a post from whence to exercise at pleasure his power over the city, which would, by such a step, be placed at his mercy. The result of these arguments, in proposing which he was surrounded and supported by the majority of the Senate, was such as indicated a due appreciation of their force, not only on the part of the assembly, but of Rullus himself ; since the tribune was unable to make any answer at the time, and, after a few attempts to weaken the impression made by the eloquence of Cicero by private insinuations against his disinterestedness, which were also neutralised by two brief and supplementary orations, consented at length to withdraw his mischievous statute.

Another instance of the power which his long established character and reputation had now enabled him to exercise over the passions of the multitude, was shown on the occasion of the tumults raised by the theatrical law of Roscius Otho. The people, indignant at the separation made by this bill between themselves and the equestrian order at the exhibition of dramatic entertainments, had, on the appearance of its author at a public spectacle, received him with groans and hisses, mingled with loud and general execrations. The knights, on the contrary, who re-

garded him in the light of their benefactor, were equally forward in their expressions of applause, and the general uproar would have probably terminated in open violence and bloodshed, had not the consul made his appearance at the very crisis of the disturbance, and desired the infuriated multitude to follow him into the temple of Bellona, where he pronounced a long and able discourse, commenting in severe terms upon their turbulence, and reproaching them for the barbarous indications they had given of their want of all taste, when the first actor of his day, the famous Roscius, was unable to be heard, in consequence of their absurd dissensions. From the character given of this oration, it seems to have been one of which the loss cannot be sufficiently regretted*. Its effect upon the people was such, that their inclination to interrupt the exhibition was not only quelled, but succeeded by a feeling of so opposite a character, that on returning with the consul to the theatre, they displayed their willingness to acquiesce from that time in the law of Otho, by vying with the knights themselves in their testimonies of approbation. Although there may have been many more important, there is no more singular instance of the power of eloquence upon record than this, on which the biographers of Cicero are fond of commenting, as having suggested to Virgil the beautiful lines, descriptive of such an interposition and its results, in the opening part of the first book of the *Æneid*.

His next consular oration, according to his own enumeration†, was that in defence of Caius Rabirius, who was accused of the murder of the tribune Saturninus, an event which had happened more than thirty-six years before. Saturninus, having himself been

* A single passage is all that remains.

† Ad Attic. lib. ii. ep. 1.—quarta pro Rabirio, quinta de proscriptionum liberis. Dr. Middleton has reversed the order.

instrumental in the assassination of Caius Memmius, who, as competitor for the consulate, stood in the way of the election of Glaucias, one of his friends, was forced with several of his adherents to take refuge in the Capitol, where he was besieged by Caius Marius, and being reduced to extremity, from the want of water, was obliged to surrender. The multitude, little regarding the conditions on which he had given himself up to Marius, broke into the building in which he was confined, and put him to death, together with Glaucias, and Labienus, another of his party. Saturninus fell by an unknown hand, but it was said, that Rabirius had openly carried his head about the streets of Rome, and exhibited this revolting trophy of the success of his party at different private entertainments. Notwithstanding the number of years which had elapsed since the transaction, Rabirius was now cited in his old age by Titus Labienus, the nephew of the individual of the same name, who had fallen in company with Saturninus, to answer for a crime inextinguishable in the eyes of the majority of his countrymen;—the assassination of a tribune, while yet invested with the sacred dignity of his office. The two judges appointed by the prætor, although the choice should have been left to the people, were Julius and Lucius Cæsar, both bitter enemies of the accused, and the former, a short time before, actively instrumental in exciting Labienus to take upon himself the prosecution. Before such a tribunal, the cause could be attended but with one result. Rabirius, although aided by all the eloquence of Hortensius, who appeared as his advocate, was eagerly and precipitately condemned; but the ulterior resource still remained of an appeal to the people. This he without hesitation adopted; yet, so successful were the means which had been taken to inflame the public mind against him, and so vio-

lent, for the moment, the general prejudice in favour of his accuser, that he would certainly have been condemned, but for the adoption of an ultimate expedient to ensure his safety. During all assemblies of the people in ancient times, it was deemed expedient to keep an ensign flying on the Janiculum, a hill which commanded an extensive view of Rome, that the approach of an enemy, if it should happen to occur while the citizens were engaged in giving their votes, might be immediately signified to the meeting. The custom was continued long after all necessity for it had ceased, and although the deliberations of the masters of one half of the inhabited world were in little danger of being interrupted by a sudden call to arms, the lowering of the ensign on the Janiculum was at any time sufficient to put an instant stop to their assemblies. The centuries were already assembled in the Campus Martius, and it was sufficiently evident, from the expressions and votes of the excited crowd, that the condemnation of Rabirius would be carried by a considerable majority, when Metellus Celer, who enjoyed the joint offices of prætor and augur, made his way to the hill, and commanding the ensign to be struck, rendered all further proceedings on that day illegal. It has been conjectured, that the subsequent interposition of the Senate, by which the decree of his judges against Rabirius was formally reversed before it was possible to summon a second assembly, was the means of delivering the accused from a capital prosecution, which threatened, if carried out, to be attended with the most alarming consequences.

But although thus deprived of the power of obtaining a conviction on his first impeachment, the expedient still remained open to Labienus of endeavouring to impose a heavy fine for general misconduct upon the adversary who had escaped the more

serious attempt against his safety. For this purpose the people were once more convened to deliberate upon the conduct of Rabirius, and on the day appointed for the trial, Cicero descended in state into the Forum as advocate for the accused*. The defence was limited by Labienus, in virtue of his tribunitial office, to half an hour, yet, comparatively reduced as it must by this means have been, it has not been able to escape further curtailments by the hand of time, although the peroration, supposed until lately to have perished, has been again restored to light by the researches of modern industry. The cause, which was ostensibly private, nevertheless *embraced a great public question*, and Cicero seems to have been duly impressed with its importance, not only by the expression of his convictions to that effect, but by copying, in the introductory part of his speech, the majestic style of the exordium of the Crown Oration of Demosthenes, an imitation which a pro-

* Until within the last few years it was generally supposed, that the defence of Rabirius was pronounced on the occasion of his appearing before the public in answer to the capital charge of Labienus. But Niebuhr, by whose exertions the concluding part of the oration, together with an additional fragment of the speech for Fonteius has been added to the extant writings of Cicero, contends, in opposition to the authority of Dio, that it was delivered to ward off from his client the consequences of the process called "*Multæ irrogatio*," by which Labienus, being baffled in the prosecution which endangered the life of Rabirius, directed his attempt against his estates; since it was forbidden by a fundamental principle of Roman jurisprudence to assail, by the same proceedings, the property and the person of any individual. The learned author and supporter of this opinion cites, from an ancient commentary upon Cicero's oration against Clodius and Curio, the case of P. Claudius as a parallel instance, who, after the loss of the Roman fleet off Drepanum, was capitally impeached before the people by the tribunes Villius and Fundanius, and the trial being interrupted by a sudden storm, was afterwards subjected to the "*Multæ irrogatio*," and heavily fined in consequence.—See "*M. T. Ciceronis Orationum pro M. Fonteio et pro C. Rabirio Fragmenta*," &c.—Romæ, 1820.

cess of the highest moment could alone have justified. In the defence pronounced in his behalf, which is principally employed in a consideration of the murder of Saturninus, Rabirius is clearly vindicated both by the orders and authority of the Senate, and the example of others, far above him in rank, whose conduct had never been arraigned for a moment or threatened by the shadow of an impeachment; and it appears likely, although but a partial light is shed by history upon the subject, that owing to the representations of his advocate, he was as successful in evading the second impeachment of Labienus, as he *had been in escaping the consequences of the capital charge previously brought against him by the tribune.*

The defence of Rabirius was succeeded by the oration to the people, known as "that concerning the children of the proscribed." This was characterised by a subservience to the law of expediency rather than of justice. By one of the despotic acts of Sylla, the punishment which he inflicted upon the lives and estates of his opponents was extended in a measure to the next generation, since their sons were expressly declared to be ineligible to any public office. Under the influence of Julius Cæsar, who had dared, by many public actions, to avow his respect for the memory of Marius and his intentions to elevate his party once more to power, an attempt was now made to repeal this unjust and vindictive edict. Cicero, however, interposed his authority and his eloquence against any alteration; softening the odium he was likely to incur by acknowledging the cruelty of the act of Sylla, but, at the same time, arguing that the safety of the state would, under existing circumstances, be exposed to imminent hazard by a change of the existing law. Of this oration we know little more than that it was spoken, and produced the intended result. It was not until a later period that the

children of those who had fallen in the cause of Marius were restored to all the privileges once possessed by their fathers.

The consular comitia were now drawing on, and the attention of all men was directed with feverish interest to their result. The friends of Catiline were again exerting themselves to the utmost in their renewed attempts to secure his election, but their expectations had been recently somewhat damped by the loss of one of their principal supporters. This was effected chiefly by the policy of Cicero, who had succeeded in wholly withdrawing Antonius from their interests. In exercise of the Sempronian law, the Senate had fixed upon Gaul and Macedonia as the two consular provinces, and on their assignment by the usual method, the fortune of the lot had given the former to Antonius, a result exceedingly likely to add to his other causes of disaffection, since it was in every respect inferior to Macedonia. But Cicero offering, in the first instance, to relinquish the rich province assigned to himself in his favour*, and subsequently declaring in an assembly of the people, and notwithstanding their remonstrances against his resolution, that he had determined upon refusing every foreign appointment for the present†, so won upon his colleague by his generosity and disinterestedness, that from that time he showed every disposition to act entirely in accordance with his directions‡. Antonius, indeed, with a lucrative post in prospect, was no longer disposed, as formerly, to lend himself to projects for disturbing the existing state of the constitution. A further attempt to impede the proceedings of the Catilinarian party, with all which

* In L. Pisonem, cap. ii; Sallust. Bell. Cat. cap. xxvi.

† In the oration "In Provinciâ deponendâ," mentioned by Cicero, Ad Attic. lib. ii. 1, but of which there now remains no vestige.

‡ Plutarch. in Cic.

Cicero was well acquainted through Fulvia, whom he had been so fortunate as to gain over to act as his informant in the early part of the year*, was his procuring by an express law the penalty of ten years, exile to be added to those already passed against the use of undue influence in canvassing for office. Checked by this obstacle in the course of bribery they were openly pursuing, the conspirators, now emboldened by the presence of numbers of their accomplices, who had flocked into Rome to lend their support to Catiline, made no secret of their intention of assassinating the consul, with several others of his party, at the ensuing comitia, which seem to have been appointed for the twentieth day of October. At the same time their preparations for a revolt throughout Italy were every hour becoming a matter of greater notoriety.

In the dead of the night preceding the day immediately before that of the election, three senators of the highest rank, Marcus Crassus, Marcus Marcellus, and Metellus Scipio, presented themselves at the house of Cicero, to whom, although he had retired to rest, they requested immediate admittance. They brought with them an anonymous intimation of an intended massacre of the nobility, contained in a letter which had been left at the residence of Crassus, late in the same evening, by a person unknown, in which, after the nature of the threatening danger had been pointed out, he was earnestly requested to ensure his safety by immediate flight. This mysterious epistle was accompanied by several others directed to different senators, which Crassus, terrified by the contents of that addressed to himself, had not ventured to open. After an anxious deliberation, it was determined to convoke the senate the next day, and, in the presence of the assembly, to deliver the

* Sallust. Bell. Cat. cap. xxvi.

remaining letters to those for whom they were intended, that their purport might be generally known. The resolve was carried into practice, and as soon as the senators, wholly ignorant of the purpose for which they were summoned, had been hastily called together, the consul commanded the letters in question to be brought in and distributed according to their respective addresses. It was then found that each gave the same account of the plot, and as soon as the subject had been fairly brought under discussion, fresh evidence was not wanting to confirm the general suspicion. The senate accordingly decreed that the consular comitia should be postponed, and that the following day, on which it had been determined that they should be held, should be devoted to the further investigation of the alarming information communicated to them. To what extent they were informed of the particulars of the contemplated insurrection, either at their first or second meeting, is uncertain, since, upon many important points in regard to the Catilinarian conspiracy, different accounts have been left by authorities considered, for the most part, unquestionable. It is evident, however, that enough was revealed to spread a general alarm among all present, and to implicate Catiline in a treasonable attempt of the most serious description. His answer, founded upon his confidence of success, when interrogated by Cicero upon the subject *, was sufficiently expressive of his fierce and insolent character. A few days before, when threatened by Marcus Cato with an impeachment, he had answered, "that any fire kindled for the purpose of injuring him, should be extinguished, not by water, but by the general ruin." He now boldly asserted, that the state was composed of two distinct bodies, the first reduced to an extreme degree of debility, and with a head which was

* *Pio Muræna*, cap. ii.

equally afflicted with infirmity ; the second, fresh and vigorous, but as yet destitute of a head suitable to it. The latter, he further ventured to state, had conferred so many favours upon him, that, from henceforth, the want should never be felt while he remained alive. An answer which partook so much of the character of a defiance, was not calculated to leave those to whom it was addressed in any doubt as to the course which it was incumbent upon them to pursue. They immediately had recourse to that decree which, simply worded as it was, placed a terrible power in the hands of the chief magistrates, and was never passed but on the eve of some signal convulsion, by unanimously resolving, that the consuls should be desired to take care that the commonwealth received no injury*. By this edict, the liberty of levying armies and carrying on war, and of using any methods which might appear fitting to keep both the citizens and the allies in a state of subordination to the laws, was unreservedly, and without limitation of any kind, entrusted to their hands. Thus armed and invested with dictatorial authority, Cicero proceeded to hold the consular comitia. In order to protect himself from the threatened attempts upon his life, he took care to be surrounded by a numerous and well-appointed guard, and adopted the precaution of attending the Campus Martius in a coat of mail, which he did not neglect to exhibit fully in the eyes of the people, by throwing back his robe when he addressed them ; thus signifying the peril to which he was exposed in ensuring the continuance of the public tranquillity. By the use of these and similar expedients, a great multitude, who had hitherto remained neuter, were induced to give their votes against

* Sallust places the passing of the decree, "*Darent operam*," &c., something later ; but there is no doubt that it was issued on the occasion referred to above.

Catiline, whose third and last attempt upon the consulate was at length frustrated by the election of Decius Silanus and Lucius Licinius Murræna.

The conspirators, driven to a state of anger approaching to frenzy by the signal defeat they had sustained, now began to set themselves in earnest about their final project of an insurrection. Catiline, without any further delay, instructed his favourite adherent Manlius, who was then in Rome, to return to Fæsulæ, with instructions to take up arms on the instant of his arrival. Septimius of Camerinum, another of his band, was sent into the district of Picenum upon a similar errand, and Caius Julius into Apulia. He himself was no longer at any trouble to conceal, by the slightest precaution, his meditated attempt against the life of the consul; publicly displaying, in contemptuous opposition to the existing law, the weapon with which he went at all times provided for the purpose. Everything announced that the danger, which had been so long brooding, was fast drawing towards its crisis. A few days only had elapsed when Lucius Sænius produced letters in the senate, conveying the intelligence that the revolt had openly burst out under Manlius in Etruria. Others affirmed that musters were being made in various parts of Italy, and that a second Servile War might forthwith be expected, since a rising of the slaves was on the point of taking place at Capua and in Apulia. To meet the reported demonstrations in these several quarters, Quintus Marcius Rex, who, fortunately for the state, had just returned from his province of Cilicia, and was lying with a small army before the gates of Rome in expectation of a triumph, was ordered to direct the march of his troops immediately upon Fæsulæ. Quintus Metellus, who was also anticipating a similar honour, as the reward of his late successes against the pirates in Crete, was sent in

all haste into Apulia; the prætor Rufus to Capua, and Metellus Celer to Picenum. At the same time it was decreed that a strong force should be kept constantly stationed on the Palatine Hill, and that the city should be watched night and day by guards under the orders of the inferior magistrates, appointed to their different stations by Cicero, who had assumed the protection of Rome as his especial duty. Then ensued the scene depicted by Sallust, in that brief yet comprehensive description in which every touch shows the hand of a master, of a vast multitude suddenly hurried from the state of festivity and thoughtless enjoyment, engendered by a tranquillity of long duration, into a condition of general distrust, confusion, and dismay; in which the whole city wore a troubled and uncertain aspect between peace and war; and when every man became an object of suspicion to his neighbour, and was himself in turn apprehensive of all whom he met. In the uncertainty which prevailed as to the magnitude of the peril, the fears of each individual were the only standard by which it was estimated: while reports, adapted only to the credulity of Terror, were rapidly circulated and eagerly received, and derived apparent confirmation from the armed preparation making on all sides to repress the first appearance of commotion. The women of Rome, above all, increased the spreading panic by their outcries and lamentations, bewailing their own fate and that of their children, imploring, with piteous tones and gestures, the aid of their gods, or giving way to expressions which betokened an utter despair of their own safety, as well as that of the commonwealth at large.

Catiline, who, like the exciting genius of the tempest, had surveyed the increase of the public confusion and consternation with stern satisfaction, uninfluenced,

and far less diverted from his purpose, by the tokens of distress around him, now thinking his presence no longer necessary in the city, summoned, on the evening of the sixth of November, a meeting of the conspirators, to receive his parting directions at the house of Porcius Læca. On the first of the month he had made a secret attempt by night, to possess himself of Præneste, a town distant about twenty miles from Rome, but owing to the activity of the consul had found it so well guarded, that he was obliged to retire without effecting his object. Convinced, therefore, that in quitting Rome while Cicero was still alive; he must leave behind him a most formidable and efficient obstacle to his plans, he assured his accomplices, that he was only deterred by the circumstance of his having hitherto failed in all his attempts to destroy the consul, from immediately joining the standard of the revolvers in Etruria, and advancing from thence to cover their projected insurrection and massacre in the city. Two of the most determined of those present, Caius Cornelius and L. Vargunteius, the former a senator and the latter of the equestrian order, excited by this representation, at once volunteered to take upon themselves the office of the assassination of Cicero, and promised, under pretence of paying their respects to him early on the following morning, to despatch him in his own house. The final preparations were then made for carrying out the details of the terrible plan on which they had now universally determined. The city, it was resolved, should be fired in several places at once, that the murders of those whom they had selected for death might be the more easily perpetrated, in the confusion which might naturally be expected to follow. Several districts were apportioned to different incendiaries, and Cassius appointed to the office of superintending them, as well as of cutting off all who

might seem inclined to exert themselves in stopping the conflagration. The execution of the massacre, which was to include every member of the Senate not of their party, as well as all of whatever rank who were designated by the name of their enemies, with the exception of the sons of Pompey, intended to be reserved as hostages for the future forbearance of their father, was entrusted to Cethegus. The prætor Lentulus was to take upon himself the general management of affairs until the arrival of Catiline. After this arrangement the assembly separated, confident that the next day would be distinguished by the death of their most dreaded opponent, and the removal of the only impediment, of a serious character, to the successful execution of their design.

The meeting had no sooner dispersed than Fulvia, acquainted by Curius with all that had passed, hastened to the house of Cicero, to apprise him of the resolutions of the conspirators, and the danger to himself which the following morning would infallibly bring with it. The consul was sufficiently impressed with the truth of her report, to take every possible means to ensure his safety. His residence was quickly filled with guards, and provided with the means of resisting a sudden attack ; and his porter received instructions, if Cornelius and Vargunteius demanded admittance to him, peremptorily to refuse it. The value of the information he had received at this important juncture was speedily manifested. With the first appearance of dawn the assassins presented themselves at his gate, fully prepared for their attempt, and urgently demanded an interview with him, on pretence of having intelligence of the highest moment to communicate ; nor were they satisfied with the denial which was at once given to them, according to the directions of Cicero, but continued for a long time to persist in their applica-

tion, and were not finally repulsed without giving vent to their anger and disappointment by the most violent and abusive expressions. Apparently this desperate action had the effect of convincing Cicero that the circumstances of his position were no longer such as to be trifled with. He immediately sent a summons to the Senate to meet on the following day in the temple of Jupiter Stator; a building already consecrated to recollections of the deliverance of the state at a crisis of imminent peril, and soon to acquire, by the deliberations about to take place within it, an additional claim to the respect of the citizens on a similar ground.

Although with the usual sensitive apprehension of guilt he might have anticipated that the assembly, thus hurriedly convened, had been called together in consequence of some further discovery respecting his conspiracy, Catiline, with that audacious intrepidity which distinguished him to the last, ventured to present himself before the consul amidst the other senators, intending, as he himself gave out, openly to vindicate himself from the groundless charges and suspicions of which he had lately been the object. He was not long, however, without receiving a striking testimony of the estimation in which he was beginning to be held. As if his very vicinity had been pestilential, all whom he encountered shrank from him in disgust, and the benches near the spot where he had seated himself, were speedily left vacant by those who had before occupied them. After he had been thus separated as a mark for the eloquence which was gathering its thunders against him, Cicero, amidst the profound awe and silence of his auditory, commenced that magnificent oration, which may yet proudly challenge competition in its expression of just and vehement indignation—its concentrated force—its rapid accumulation of overwhelming evi-

dence—and its judicious arrangement of every particle of it so as to tell with the most powerful effect. The exordium, startling, yet majestic in the highest sense, fully prepares the reader for an oratorical exertion of first-rate excellence, and this expectation is gratified long before its close. To all present acquainted only with the general nature of the plot, it must have had the effect of the sudden glare of lightning which lights up to the traveller, terrified and bewildered by surrounding darkness, the full extent of the precipice on the verge of which he stands. To the culprit himself, exposing as it does not only the excesses of his former life, but the minutest particulars of his intended project of revolution and bloodshed, narrated with all the accompanying circumstances of time and place, it must have sounded as the denunciation of a superior being, possessed with the power of reading his most secret thoughts, or as if his inmost conscience had been suddenly gifted with a voice to plead, trumpet-tongued, and in the face of all mankind, against him. It affords a striking comment upon the eminently critical position of the state at the time, as well as of the extreme jealousy with which the exercise of any extraordinary power possessed by their magistrates was watched by the people of Rome, that the object of this wonderful invective is not to ensure, as might be expected, the instant seizure, trial, and punishment of the unmasked conspirator, (whom the orator describes as sitting with consummate effrontery in the presence of authorities who ought long ago to have ordered him to be led to execution, and regarding with murderous glances those whom he had appointed to destruction,) but simply to induce him, after the exposure of his design, to retire from the city, and join the rebels assembling under his directions in Etruria. This is almost the sole drift

and tenour of the profuse genius and unwearied strength of language characterising the first Catilinarian oration. Yet, although its object may appear trifling compared with the means taken to effect it, it was a trifle upon which depended the fate of Rome. In the scarcity of direct and positive testimony respecting a conspiracy of such importance, and connected with such eminent names, if Cicero had ordered its chief contriver to be apprehended, the whole plot might have been disbelieved; but by driving him from the city into the arms of Manlius, he compelled him at once to assume a character against which no one could deny the propriety of using extreme means of defence; while the associates whom he left behind, might be expected to be paralysed by the public exposure of all the secrets of their confederacy. Catiline, who at this trying moment adopted with ready prudence the only means of defence left to him, did not attempt, when his accuser had resumed his seat, to answer the oration of the consul by a formal reply; but assuming a deportment of the lowest humility, with downcast looks and a suppliant voice began earnestly to entreat the senators not to give a rash and hasty credit to the charges brought against him, or to think it possible, that one of their own order, and descended from a family which had conferred the most important benefits upon the people of Rome, could have any interest in the destruction of the city, while even Marcus Tullius, an adventurous citizen, was labouring to preserve it*. This appeal, whatever might have been the manner with which it was accompanied, contained a deep and cutting sarcasm against Cicero, whose birth at Arpinum and undistinguished ancestry were thus pointedly alluded to. But in that great assembly it did not find a single voice to second it, and Catiline, on proceeding to indulge in still severer

* Sallust. Bell. Cat. cap. xxxi.

expressions against the consul, was interrupted by a general uproar of indignation. The cries of *traitor* and *parricide* resounded in all directions; and the object of this tumultuous outcry, being saluted wherever he turned with expressions of execration and abhorrence, at length rose again to the proud and haughty bearing which was natural to him, and hurling back upon his clamorous assailants the threat,—that since they refused him a hearing, and appeared determined upon his destruction, he would neither perish unresistingly nor alone,—sternly departed from the senate-house. On arriving at his own residence and devoting his attention for a short time to a hurried meditation upon the course best to pursue, he resolved to put in practice his determination of joining Manlius, before the forces levying under the prætors Rufus and Metellus Celer should be ready to take the field. Accordingly, having summoned and armed a body of servants and retainers, amounting, according to Plutarch, to three hundred in number, and having given additional instructions to Lentulus and the other chiefs of the conspiracy, to lose no opportunity that might present itself for ensuring the assassination of Cicero, or hastening forward the other preparations in hand, that they might be ready to co-operate with him on his return to Rome with his army, he marched out of the city on the ensuing midnight, taking his course along the Aurelian way. On his road he sent letters to some of the principal nobility, pretending that he was on the point of retiring to a voluntary exile at Marseilles, preferring, although innocent of any crime, rather to yield to the violence of his enemies, than to endanger the peace of the state by resisting it. On reaching the territory of Arretium he spent a few days at the house of Caius Flaminius, for the purpose of sowing the seeds of revolt in the neighbourhood, and from thence

wrote to Quintus Catulus at Rome, signifying, in terms not very difficult to be understood, his real intentions, and commending his wife Orestilla to his care. After this, deeming all further disguise useless or unnecessary, he proceeded, with the fasces openly borne before him, and accompanied by all the other emblems of proconsular dignity, to the camp of Manlius at Fæsulæ.

Catiline was no sooner known to have quitted the city, than Cicero summoned a general assembly of the people to meet in the Forum, intending to vindicate himself from reports which were already becoming prevalent, that he had hurried a Roman citizen into exile by an arbitrary exertion of authority, and without the concurrence of the senate. In the oration which he then delivered, the second of those spoken on the subject of the Catilinarian conspiracy, he successfully vindicated his late conduct; and explained to the people the reason why, instead of ordering his arrest, he had been induced to connive at the escape of the dangerous enemy to the public welfare, who had just quitted the city. The speech has also an especial reference to those who had been left behind to carry on the plot, of whom it was natural to suppose there would be several present in the assembly. Upon such, after separating them from many who had not yet reached the same grade in infamy as themselves, in a pointed description of the several classes of persons who might be expected to look favourably upon the designs of Catiline, or who had already enlisted under his banners, he pours an overwhelming torrent of obloquy and contempt; assuring them, as he had assured their leader upon a previous day, that he was well acquainted with every movement and design on their part; and requesting them, while the road remained still open, to follow the example set them by Catiline, and to free the city from their hated and pernicious presence.

The rest of his address was well calculated to encourage the citizens to the fullest confidence in the resources possessed by the state for their protection, and the prudence of those to whose management they were entrusted. The seditious are warned at its conclusion, with severe solemnity, not to tempt too far a leniency which must have its limits, while there were yet in Rome such means of coercion as weapons and fetters, as well as persons ready to employ them; and the better disposed members of the community requested to second the efforts of their magistrates, by continued vigilance against a danger which, although detected, was yet far from being removed.

The fearlessness and spirit shown by the consul in this harangue, were ably seconded by several acts subsequently passed by the legislature. On the receipt of the intelligence that Catiline had arrived in the camp of Manlius, he was promptly declared a public enemy. By the same edict a day was appointed, before which his adherents were commanded to lay down their arms, on penalty of being exempted from an intended amnesty, which was meant to include all among them who were not chargeable with capital offences. An additional levy of troops was ordered to be set on foot, for the purpose of increasing the army of the consul Antonius, with which he was directed to set out, as soon as possible, in pursuit of Catiline. The guards appointed to watch the city were at the same time increased, and its guardianship, as before, committed to the hands of Cicero. Among these decrees it has been recorded, that the second proved wholly ineffectual. Not a single individual among the revoltors in the camp of Catiline was induced to desert his standard; and so far were the symptoms of insurrection from being suppressed by the promised amnesty, that serious movements began to take place in both the Gauls, as well as in Picenum,

Bruttium, and Apulia, which were with difficulty checked for the moment by the prætors Muræna and Celer. Still less were the conspirators in the city itself diverted from the employment of every means of fulfilling the directions left them by their commander. Although an ample reward, with a full pardon, had twice been offered by the senate to any freeman, and half the same sum, together with his freedom, to any one of servile condition, who would give such evidence respecting the plot as might bring those engaged in it to condign punishment, no one had as yet appeared willing to stand forward as witness or informer against his companions. Lentulus, encouraged by this appearance of unshaken fidelity on the part of his followers, hesitated no longer to fix the time for the eruption of his project of incendiarism and murder, which he appointed to take place in the course of the ensuing Saturnalia, when the festivities in which the city would be engaged would present a favourable opportunity for carrying it into execution. Statilius and Gabinius were directed to lend their assistance to Cassius in firing the city in twelve places at once; and Cethegus, whose ferocious thirst for bloodshed had ill brooked the repeated postponements of the insurrection, eagerly demanded and obtained the charge of besetting the house of Cicero, and giving, by his murder, the signal for the commencement of the intended massacre. Torches and other combustibles, for beginning and spreading the conflagration, were collected in abundance, and an immense quantity of javelins, swords, and daggers, newly furbished and sharpened, deposited in the house of Cethegus in readiness for immediate use. While such were the preparations of the conspirators, the public attention was, for a short time, diverted to subjects very different from those which had lately attracted it, by the impeachment of the newly-elected

consul Muræna, on the part of Sulpitius his late competitor, a jurist of the first eminence, backed by Marcus Portius Cato, for the employment of bribery at the recent election. The cause employed the talents of the most skilful advocates of the day, Hortensius, Marcus Crassus, and Cicero, being all three engaged in the defence, which was eminently successful.

With respect to the oration for Muræna, we are told that Cicero, fired with the ambition of excelling Hortensius, at that time his greatest and, indeed, only rival, devoted himself so studiously and anxiously to its preparation as to allow himself scarcely any sleep during the interval before the trial, and that when he appeared in court he was so exhausted by his application, that his speech was pronounced with a feebleness and difficulty which seemed to leave the palm to Hortensius. No such weakness unquestionably is discoverable in so much of the oration as remains, which is fortunately the greater part. The impeachment itself affords a curious proof of the desultory nature of accusations in the Roman courts. Muræna was charged with bribery exercised in contradiction to the Calpurnian law; yet two other counts were added specifying reasons why his election should be considered invalid, the one stating that his competitor Sulpitius had, in all respects, a better claim to the office, and the other, that Muræna had given himself up to luxury in Asia, where he had actually been known to dance! The latter objection, ludicrous as it may appear at present, was one of a formidable character in the days of Cicero, who, so far from making any attempt to palliate it, declares it to be an infamous libel upon the character of his client, and defends him by the general proposition, that no person, unless he were actually mad or intoxicated, neither of which allegations had been brought against Muræna, could by any

possibility be guilty of so gross an act of indecorum. For the rest, the defence, with all its spirit and elegance, is little less rambling than the accusation. That part, however, in which Cicero, entrenching himself behind the philosophy of Plato and Aristotle, batters his Stoical opponent and the solemn absurdities of his school, has not only its polished irony, but its fitness for the occasion, to recommend it. It was foreseen that the character of Cato, the model of rigid censoriousness, and therefore considered the only living representative of the ancient Roman virtue, would add no small weight to his side of the question, little as it might be connected with the merits of the cause. The orator, therefore, had no unimportant purpose in view, while stepping out of his way to render the precepts of the Stoics as ridiculous as possible in the eyes of the judges, and no one who reads those parts of the oration for Muræna in which Cato is alluded to, can doubt of his having thoroughly effected it.

But the terminating scenes of the Catilinarian conspiracy soon recalled the thoughts of the population of Rome, to matters of graver import than forensic disputes involving the tenets of the rival sects of the Porch and the Academy. Hitherto the conspirators under Lentulus had acted with all the cautiousness which their perilous undertaking demanded. At an unfortunate moment for themselves, and when almost on the eve of the execution of their attempt, they were laid, by a single false step, entirely at the mercy of their vigilant adversaries. There happened at that time to be in Rome a deputation from the Allobroges, a warlike and powerful people of Gaul, who had been sent to complain of the avarice of the magistrates placed over them, and who were living, until their mission there should be completed, under the protection of Quintus Fabius Sanga, the public host

and patron of their nation: Lentulus and his accomplices were induced to think this a favourable opportunity of adding a Gallic war to the Italian insurrection, and commissioned Umbrenus, one of their company, who had spent some time in Gaul and was well acquainted with several of the princes of that country, to sound them upon the subject. The first interview between the parties took place in the Forum, and Umbrenus was easily led to imagine, that the deputies would be as ready to fall in with his proposal as he could desire, since on his holding out to them the possibility of relief from their oppressions, they besought him to take pity upon their wretched condition, by pointing out the means of bettering it, and assured him of their readiness to encounter any difficulty or danger for the accomplishment of so desirable an object. But when Umbrenus, having conducted them to a house near the Forum, and summoned Gabinius to join him to give an appearance of greater weight to the conference, proceeded to lay before them the plan of the conspiracy and the names of those engaged in it, the Allobroges began to be daunted by the dangerous nature of the remedy proposed for their acceptance, and on their return home, after a long hesitation as to the course of action which would be most to their own interest, determined upon laying all that had been communicated to them before their patron Sanga, by whom it was speedily conveyed to Cicero. The consul, rejoiced to find that the long-wished-for opportunity was at length opening upon him, directed the Gauls, by every means in their power, to induce the conspirators to believe that they were ready to act in compliance with their commands, but to insist that all the advantages which they were instructed to stipulate for, in behalf of their nation, should be promised under the hand and seal of Lentulus and

the rest, who might be of sufficient note to give such credentials a character of respectability and importance. Little suspecting the use which was to be made of such missives, the leaders of the plot fell at once into the snare laid for them. Letters containing the promise of ample rewards for the assistance expected to their cause from this new quarter, were written to the chief magistrates of the Allobroges by Lentulus, Cethegus, and Statilius, and consigned to the care of the deputies as they were on the point of leaving Rome. Titus Volturcius of Crotona was, moreover, instructed to accompany them to the camp of Catiline, with whom it was deemed expedient that the ambassadors should have an interview before returning home, and charged by Lentulus with an epistle to that commander, which urged him to pursue a bold and strenuous course, and suggested the propriety of his making use of persons of all conditions to recruit his armies. The same envoy was also desired to communicate to him, by a verbal message, that all necessary preparations were finished at Rome, and that his friends were anxiously in expectation of his approach towards the capital.

Cicero had now within his grasp the means of possessing himself of the full evidence for crushing the heads of a faction, which, while the tangible proofs of its designs were, to a certain extent, deficient, had continued to threaten his own destruction and that of the state with impunity. On the afternoon before the night appointed for the departure of the Allobroges, he commissioned the prætors Flaccus and Pontinus with a body of chosen soldiers, to place themselves in ambush at the Milvian bridge, by which the ambassadors were obliged to cross the Tiber to enter upon the Flaminian way, and sent to the same spot a number of young men from the præfecturate of Reate, on whose fidelity he could rely with perfect

confidence. The prætors arrived at their appointed post as the evening began to draw in, and having planted their guards at both ends of the bridge in such a manner as to escape casual observation, awaited the approach of the ambassadors and their train. Until about two hours after midnight, their watch was maintained without interruption, but at that time the parties whom they expected at length made their appearance, and were proceeding to defile over the bridge, when the soldiers placed in ambush on either bank of the river, rising at the same moment with loud shouts, summoned them instantly to surrender. A slight confusion ensued, which was but momentary in its duration. The Gauls, who quickly understood the nature of the interruption, yielded themselves without opposition, and Volturcius, who had at first unsheathed his sword for the purpose of making a desperate resistance, on finding that his efforts were not likely to be seconded by a single person in his company, gave up his weapon to the prætors, and consented to become their prisoner. All were conducted back to Rome, and the despatches seized upon the Allobroges as well as upon the person of Volturcius transmitted, before day-break, to Cicero, who lost not a moment in summoning some of the chief senators to his house, to deliberate upon the discovery, and the use to be made of it. Several of those who were present at this council advised that the letters should be immediately opened, anticipating the possibility of their containing nothing of public importance, but Cicero, who was well aware of their general tenor, determined upon preserving the seals entire, until he should have an opportunity of reading them, for the first time, before a full senate, which it was agreed should be convened upon the following day. In the meantime messengers were sent to Lentulus, Cethegus, Statilius, Gabinius, and Quintus

Cœparius of Terrācina, desiring them without delay to attend the consul at his house upon important business. Cœparius, suspecting the reason for which his presence was required, endeavoured, instead of complying with the command, to secure himself by flight, but was quickly overtaken and brought back by a party who had left the city in pursuit of him. The rest, on presenting themselves at the house of Cicero, were successively arrested and placed in secure keeping. The prætor Caius Statilius was then despatched to the house of Cethegus to search for the arms deposited in it, and speedily brought away the whole magazine of weapons provided for the approaching insurrection.

The temple of Concord, the place appointed for the meeting of the Senate, which on this important occasion was crowded to excess, presented on the opening of the business of the day, a solemn and imposing spectacle. The members were no sooner seated than Cicero entered, leading by the hand Lentulus in his full dress as prætor, since it would have been considered an indignity for any one lower in rank than himself to lay the least public restraint upon his person. The other prisoners followed closely guarded. Volturncius was then introduced in a state of the greatest agitation, in consequence of the terror occasioned by his recent seizure, and the contemplation of the dangerous predicament in which he stood. His replies were at first vague and unsatisfactory, but on being informed that the public faith would be pledged for his pardon and safety, on condition of his bearing evidence against his companions, he consented to give upon the spot a full and distinct account of as much of the conspiracy as he had been made acquainted with. The ambassadors of the Allobroges were next examined, and confirmed the testimony of the preceding witness, disclosing the promises of assistance given them under oath by the principal conspirators ; and adding, that

Lucius Cassius had enjoined them to be particular in raising and sending across the Alps as great a body of Gallic cavalry as possible, since there would be no want of infantry in the armies of the insurgents. They also stated that Lentulus had assured them, from the Sibylline books and responses of the haruspices, that he was the third of the Cornelian family who was destined to arrive at despotic power in Rome, two of the Cornelii, Cinna and Sylla, having already preceded him in that condition of hazardous exaltation*; and that his reliance upon the accomplishment of the prediction was strengthened by other prophecies on the part of the diviners, importing that the present year, which was the twentieth from the burning of the Capitol, would be rendered famous by the destruction of the city and empire of Rome.

After this evidence had been heard, the senators proceeded to the examination of the letters found upon the Allobroges. Cethegus was first shown his seal, and acknowledged it. The thread of the epistle which it secured was then cut by Cicero†, and the contents made public, after which the criminal, who had at first assumed a resolute bearing, and accounted for the arms in his house by asserting, that he had always been known to be curious in collecting a choice armoury, was unable to utter a word further in his defence. Statilius, on finding his handwriting brought against him in a similar manner, also freely confessed his guilt. Lentulus acknowledged by a careless nod of assent his seal, which bore the head of his grandfather, the famous Lentulus, who had distinguished himself as the opponent of Cæcilius; but after the whole evidence in his case had been heard, rose in the place where he was yet seated in his senatorial character, and began severely to cross examine Voltur-

* In *Catilinam*, iii. 4; Sallust. *Bell. Cat.* cap. xlvii.

† In *Catilinam*, iii. 5.

cius and the other witnesses. This lasted until he was asked by them in his turn, whether he had never made any mention of the prophecies respecting himself contained in the Sibylline books, when, to the surprise of all present, instead of denying the fact, as he might easily have done, he suddenly lost his presence of mind, became confused and admitted the charge. The letter written in his own hand to Catiline* was then desired by Volturcius to be produced, and completed his confusion; nor did he make any attempt at his vindication after this direct and palpable proof of his treason. Gabinus was the last brought forward, and although he at first strenuously denied all that had been advanced by the Gauls, his confession was speedily added to those of the rest. As soon as the investigation was concluded, Lentulus was commanded, by an universal vote of the senate, to abdicate the office of prætor, and having been publicly divested of his robes, was committed to the custody of Publius Lentulus, surnamed Spinther, at that time ædile. Cethegus was entrusted to the guardianship of Quintus Cornificius, and Statilius to that of Julius Cæsar, then prætor elect. Gabinus was appointed to be kept in the house of Marcus Crassus, and Cœparius in the residence of the senator Cneius Terentius. The assembly next passed a vote of thanks to Cicero, as the preserver of his country, couched in the

* The words of this letter are somewhat differently given by Cicero and Sallust. The former, however, in his speech to the people, (In Cat. iii.) in which it is to be found, probably quoted from memory only, while Sallust, no doubt, had an opportunity of inspecting the original document, of which he professes to give an actual copy. According to the latter author, it was expressed as follows:—"Who I am, you will know from the messenger whom I have sent. Reflect upon the desperate situation in which you are placed; and, remember your character as a man. Consider what your critical circumstances require, and seek assistance from all—even from the lowest."—Sallust. *Bell. Cat. cap. xlv.*

most honourable and flattering terms; and further ordered, that the ceremony entitled a supplication, or public thanksgiving, should be solemnly performed in acknowledgment of the merit of the consul, as one who had preserved the city from conflagration, its inhabitants from massacre, and the whole of Italy from the desolation and horrors of a general war. The latter decree was intended and considered as an extraordinary mark of respect, since it was the first time that such an honour had been conferred upon any magistrate wearing the dress of peace. Towards the evening of the same day, Cicero delivered his third Catilinarian oration to the people from the rostra, in which most of the particulars relative to the detection of the conspiracy were recited;—the approaching punishment of those chiefly concerned in it darkly hinted at;—the interposition of the Gods, and more especially of the Capitoline Jupiter, claimed as having been exerted in a manner palpably miraculous for the preservation of Rome;—and the citizens exhorted to abandon all their fears, and devote themselves with their families, in obedience to the edict of the senate, to the joyful commemoration of their signal deliverance.*

* Some parts of this oration are singularly indicative either of superstition on the part of Cicero himself, or of his knowledge of the most effectual way of availing himself of such a feeling on the part of his auditors. He alludes to meteoric phenomena in the heavens, tempests, and earthquakes, during his consulate, as plainly prognosticating the danger which the state had just escaped, and dwells upon another trivial coincidence, with an appearance of triumphant confidence. The statue of Jupiter in the Capitol having, among others, been struck down by lightning in the consulate of Torquatus and Cotta, the Etrurian diviners had directed that another of much larger dimensions should be erected, and placed in a position contrary to that of the former, so as to face the east and look down upon the Forum and the Curia, or senate-house, below. The erection of this statue had been undertaken by the former consuls, but had, from various causes, been delayed until the very morning of the full discovery of the conspiracy, when it was raised to its pedestal pre-

Amidst the plaudits of the multitude and escorted by an immense crowd, Cicero retired from the Forum to the house of one of his friends, to pass a night of watchfulness and anxious deliberation upon the course which it would be expedient to adopt with respect to the conspirators then in custody. On the one hand, he was apprehensive if he exercised towards them the full severity which their crimes had deserved, that he might at a future day fall a victim to a revulsion of popular feeling, under which his conduct, however applauded at a crisis of danger, might be regarded as cruel and arbitrary ; while if he suffered criminals of so daring a character to escape with their lives, he was confident that his own would be sooner or later the penalty of his too great leniency or timidity. A message from his wife Terentia is said to have determined him towards the more vigorous course. The residence of Cicero was, on that evening, the scene of those hidden rites performed by the Roman women in honour of the mysterious personage called the Bona Dea, during the celebration of which no one of the other sex was allowed to cross the threshold of the house in which they were offered. The sacrifices usual at these solemnities had, we are informed, been made, and the ashes upon the altar were thought to be extinguished, when those who were present were astonished and dismayed, by the sudden bursting forth of a flame of extraordinary extent and brilliancy from the embers. The vestal virgins, however, who were presiding at the ceremony, one of whom was the sister of Terentia, took upon themselves to give a favourable interpretation to the omen, and desired that Cicero might be immediately informed, that whatever design he was at that time meditating

cisely at the moment at which Lentulus and his companions were being led through the Forum to their trial. This circumstance is dwelt upon as an infallible token of Divine favour.

might be boldly pursued, as it was manifestly declared by such a sign to be in accordance with the will of the Gods.

This story, of whatever amount of credit it may be thought worthy, is related by Plutarch; who adds that Terentia, at all times ready to take more than a befitting part in directing the political conduct of her husband, used her full influence on this occasion to excite him to the utmost severity towards the conspirators, and that her efforts were warmly seconded by his brother Quintus Cicero and Publius Nigidius, one of his friends, in whose judgment he was accustomed to place great confidence.

Without pronouncing upon the motives by which these advocates of extreme measures were influenced, it is certain that the occurrences of the following day amply demonstrated the necessity of taking some decisive step with respect to the prisoners. The senate having met to determine upon the rewards to be given to those, by whose evidence the plot had chiefly been brought to light, Lucius Tarquinius, who had been seized by the common people as he was on the point of quitting the city, on suspicion of his being one of the emissaries of Catiline, was brought before the house, and after being interrogated, under a public promise of pardon if he should reveal the truth, added intelligence of the most startling nature to the other details of the conspiracy, in which his evidence precisely corresponded with that before given by Volturcius. He stated, that he had been commissioned by no less a person than Marcus Crassus, to convey a message to Catiline, exhorting him not to be discouraged by the arrest of Lentulus and his confederates, but to consider that there was now an additional necessity for his accelerating his march upon Rome, that he might revive the spirits of his adherents, and rescue his friends from danger. The

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senators were confounded at the disclosure, but they did not dare to carry their inquiries further, and resolved rather to leave the participation of Crassus in the design in uncertainty, than to provoke so powerful a citizen openly to act against them by giving credit to their informant*. They, therefore, adopted the prudent policy of decreeing, that the testimony of Tarquinius appeared unfounded and calumnious, and that he should be committed to prison until he thought proper to confess by whose instigation he had been induced to invent the manifest falsehoods to which he had given utterance. But, at the same time, reports of an attempt being in preparation, on the part of the inferior members of the conspiracy, to rescue their leaders from confinement, began hourly to become more prevalent, and to receive stronger confirmation. It was ascertained, that Cethegus had sent messages to his slaves and retainers, encouraging them to take arms and assault the house of Cornificius, and several of the friends and freedmen of Lentulus were discovered to have offered liberal rewards to many among the artisans and lower orders of Rome, to induce them to break out into an immediate revolt in his favour. Cicero, therefore, convinced that any means of suppressing the threatened violence must, to be effectual, be put in practice immediately, having suffered another night alone to intervene, summoned, on the nones of

* Sallust. Bell. Cat. cap. xlviii. If Cicero has made no mention of this transaction in his speeches, there can be little difficulty in accounting for his silence upon the subject. The historian who has recorded it adds, that the consul was himself suspected of being the secret author of the charge, with the intention of terrifying Crassus into a total abandonment of the conspiracy, and even that he had himself openly heard Crassus affirm as much at a later period. This, however, must be considered as at the best but *ex parte* evidence. The real extent to which Crassus was concerned in the designs of Catilino, must always remain a matter of doubt and obscurity.

December (the fifth of the month), a full senate in the temple of Concord, and laid before them the momentous question, "What it was their pleasure to decree with respect to those who had lately been delivered into custody?" The debate which ensued is well known to every reader of Sallust; for who, after having been once acquainted with his writings, can have forgotten the account of its striking vicissitudes and impressive result, left us, as perhaps the most carefully finished specimen of his varied powers, by that nervous and energetic historian? Decius Silanus, as consul elect, being first asked his opinion concerning the treatment of the prisoners, as well as of their accomplices, Cassius *, Furius, Umbrenus, and Annius, who had not yet been apprehended, if they should hereafter be taken, gave his vote unreservedly for the infliction of capital punishment. Several senators followed his example, until the first indication of an opinion opposed to the extreme severity advised by Silanus, was given by Tiberius Nero, grandfather of the crafty and tyrannic emperor, who recommended that the prisoners should be detained in confinement until the complete suppression of the revolt of Catiline, when the subject might again more advantageously be brought before the senate. The next speaker was Caius Julius Cæsar, the main substance of whose oration, for the words are pregnant with the ordinary and characteristic style of the writer, has been recorded by Sallust.

Whether the dream of ambition which this highly-gifted and aspiring character afterwards endeavoured to realise, was yet anything more than a dazzling and indefinite phantasy; or whether he had already determined upon the general tenor of his future career, and adopted the resolution of leaving no op-

* Lucius Cassius had left the city, as we learn from Sallust, immediately before the departure of the Allobroges.

portunity unimproved for advocating what might appear the interest of the popular cause against the *aristocratic faction*, until he had sufficiently wasted the power of the latter to have nothing to fear from a competitor or an opponent in his advance to absolute dominion, is of course uncertain. It is sufficiently known, however, that at this moment he was the subject of no common dislike to the nobility, and most strongly suspected of seconding, by encouragement of every kind which fell short of compromising his own safety, any attempt which might be formed against the existing government. Two of his most bitter enemies, Quintus Catulus and Caius Piso, (the former of whom had unsuccessfully contested the high priesthood with him, while the latter had been forced to appear by his means in the character of defendant in a prosecution for misconduct during his government of Hither Spain,) had endeavoured at this crisis to effect his ruin, by earnestly entreating Cicero to allow a false accusation of participating in all the designs of Catiline to be brought against him by means of the Allobroges*. This nefarious proposition was firmly rejected; but although Cæsar was thus saved from the peril of a criminal accusation, his life had, but two days before, been nearly ended by the more open violence of the opposite party; since, as he was leaving the senate-house, several of the young patricians who formed a voluntary guard around the person of Cicero, encircled him, with bitter terms of hatred, and brandished weapons which they would have been ready to stain with his blood, on the least look or sign on the part of the consul which could be construed into an expression of assent. Upon his cool and fearless temperament, however, such a hazard, or the prospect of its recurrence, was likely to make but little impression. He now stood for-

* Sallust. Bell. Catilin. xlix.

ward with an amendment to the proposition of Silanus, advising that, instead of being consigned to the hands of the executioner, the conspirators should be condemned to perpetual imprisonment in different municipal towns; and that whoever should at a future time endeavour to influence the senate or the people to mitigate their sentence, or make any motion on their behalf, should be declared an enemy to the commonwealth and to the general safety. Nor were specious arguments, brought forward with consummate skill, wanting to support his opinion. Without attempting to deny that the criminals had merited the infliction of the severest penalty that could be devised, he hinted at the danger to which such a precedent might expose the state at some future period, when, however justifiable and meritorious in the present instance, it might be made use of to cover the most terrible despotism. He reminded those present of the necessity of subduing all private feelings of resentment while sitting in judgment upon their fellow-citizens, adding, that in proportion to the external dignity which they individually, or as a body, possessed, would be the general expectation of strict impartiality in their decision. He instanced various occasions on which the Roman people, although provoked by repeated injuries on the part of hostile nations, had, in the moment of victory, inclined to the side of mercy, from a consideration of what was due to the national character, rather than of what was deserved by their enemies. . He endeavoured, moreover, to show, that even should it be resolved to listen to the demands of justice alone, and inflict the most terrible punishment upon the condemned, that recommended by Silanus could by no means be considered as such. Death, he argued, in perfect accordance with the tenets of the Epicurean school of philosophy, then fashionable, was no more than a full release from the miseries incidental

to human life—a limit beyond which there was no further place for the exercise of passions or sensations of any kind.

The speech of Cæsar, which was followed by the accession of several members to the more merciful view of the question, drew forth from Cicero his fourth and last oration on the subject of the conspiracy of Catiline. This, although it purported to be an impartial examination of the two opinions proposed, must have left no doubt on the mind of any one present as to the course which the consul intended to advise. The vivid colours with which the atrocity of the design and the still critical condition of the state are depicted—the frequent allusions to the attempts of the conspirators upon his own life, and the pathetic recommendation of his family, in the event of any accident happening to himself, to the care of the republic—the difficulties placed in the way of the plan of Julius Cæsar—and the hints that all preparations had been made public for the execution of that advocated by Silanus, without any danger of disturbing the public peace, are indications of his real sentiments, which could never for a moment have been intended to be mistaken. Yet the eloquence of the speaker was too indirect, for so important an occasion, to be effectual. Quintus Cicero, in company with many other senators, declared himself in favour of the advice given by Cæsar, and Silanus himself intimated his intention of abandoning his original motion. The lives of the conspirators would certainly, for that time at least, have been saved, had it not been for the efforts of Lutatius Catulus, and, above all, for the stern and ironical address of Marcus Porcius Cato, which, like that of Cæsar, has been preserved, and probably in some measure supplied, by Sallust. Amidst the icy glitter of its stoical rhetoric, there is an absence of all feeling, which appears strangely

revolting after the specious gentleness and humanity of the address of Cæsar, and a proud and obtrusive censoriousness only likely to produce the effect of offending most of his auditors. As it was, the whole was in perfect accordance with the sentiments of the sect of which he was considered the ornament. Compassion was assigned no place in the list of virtues recommended by Zeno and his followers, nor were their doctrines particularly calculated to produce the grace of personal humility. But there is at the same time a plain sense and fearlessness apparent in the arguments by which the speaker is represented as supporting his view of the existing emergency; and a strength in his representations of the necessity incumbent upon his countrymen to pursue the most vigorous and decisive line of action, while the sword of Catiline was at their very throats, and his followers ready to pursue to the utmost any opportunity of advantage afforded by their vacillation and weakness, admirably calculated to produce the intended impression upon the great body of senators who were yet undecided, and which, as we are told, actually brought many back to their first resolutions, who had been led away by the milder sentiments of Cæsar. The balance was now completely turned, and it was at length decreed by a majority of the senate, in the words of Cato, that those who had meditated the destruction of the city by fire and sword, and had been convicted of this treasonable design, and of many others, by the evidence of the Allobroges, as well as by their own confession, should be visited with the extreme penalty of the law, according to ancient custom.*

Although it was late in the day before this decree was passed, Cicero, to whom its execution was intrusted, was resolved not to suffer another night to intervene before carrying it into effect. After sending

* Sallust. Bell. Cat. lii.

instructions to the officers of justice, to make all the necessary preparations, he repaired with his guards, and a great number of the principal senators, to the house in which Lentulus was confined, and having demanded him from his keepers, conducted him from the Palatine Mount through the Forum to the public prison. *In this building, about twelve feet under ground, was a noisome and frightful dungeon, called the Tullianum, from one of the ancient kings of Rome by whom it was supposed to have been built, with massive walls of stone, and a vaulted roof of the same material, which was seldom visited by a ray of light from without, the only means of access to it being by a trap-door in the ceiling*.* Within its dismal precincts Lentulus was expected by the public executioners, and on being let down into it in the usual manner, was immediately seized and strangled. Cethegus, Statilius, Gabinius, and Coeparius having been successively conducted to the same spot by the prætors, were put to death in a similar way.

While this terrible exhibition of public justice was in progress, the people of Rome having gathered in immense crowds along the ways which led towards the prison, looked on in awe and silence, as at the performance of some mysterious ceremony on the part of the aristocracy, which they but partially understood and in which they were but indirectly concerned†. The consul, on leaving the prison with his escort, had again to pass through the multitude, and observing certain persons among them whom he suspected

* This dungeon is still exhibited at Rome, beneath the church of San Pietro in Vincole, but considerable alterations have been made in it since the time of Cicero. "The modern door," says Eustace, "was opened through the side wall, when the place was converted into a chapel in honour of St. Peter, who is supposed to have been confined in it. Notwithstanding the change, it has still a most appalling aspect."

† Plutarch in Cic.

of forming part of the band of conspirators, called to them with a loud voice, and informed them, with the usual periphrasis to which the ancients had recourse when speaking on the ominous subject of mortality, that their companions had ceased to exist. This announcement on the part of Cicero drew forth repeated shouts of approbation from the bystanders, and on his further progress homeward he had no reason to complain of any signs of indifference on the part of his countrymen, or of any deficiency in their external indications of deep and enthusiastic gratitude. It was now night, but every house by which he was expected to pass was illuminated by lamps and torches placed at the doors, while the roofs were crowded with the Roman women, who held forth their lights from the parapets as he passed, and saluted him as the preserver of the city, and the guardian of their own lives and those of their children. Fresh honours were not long in being added. Most of the municipal towns in Italy, as soon as intelligence was brought of the suppression of the plot, passed decrees in which the patriotism of the consul was eulogised in the highest terms of praise. The people of Capua enacted that his statue, richly gilded, should be forthwith erected in their city, and that he should be declared their perpetual and only patron. Lucius Gellius asserted in presence of the senate, that he was justly entitled to the gift of a civic crown on the part of the republic. Catulus, in a full assembly of that order, hailed him with the proud and unexampled appellation of *Father of his Country**; and when

* The classical reader need hardly be reminded of the beautiful lines upon this subject by the greatest of satirists, ancient or modern.

Hic novus Arpinas, ignobilis, et modo Romæ
Municipalis Eques, galeatum ponit ubique
Præsidium attonitis et in omni gente laborat.
Tantum igitur muros intra toga contulit illi
Nominis et tituli, quantum non Leucade, quantum

Cato, in a speech to the people abounding with his praises, alluded to him by this title, it was repeatedly confirmed with loud and continued plaudits on the part of the multitude. Such, while the minds of men were under the influence of recent events, were the rewards of the consistent and certainly, after all deductions have been made, noble and patriotic course which he had recently pursued for the preservation of the commonwealth. But the first feeling of satisfaction at having escaped so imminent a danger was scarcely over, when the necessary reaction began. The nobility, although they had been perfectly willing that Cicero should take the post of peril and responsibility, when their own lives and possessions were threatened, were not likely to forgive one whom they scornfully designated a new man, for having inflicted an ignominious death upon scions of the illustrious house of the Corneli. Among the commons also there were many who regarded the late exercise of power on the part of the consul, as a violation of the Porcian law, and consequently as a serious infringement upon the existing constitution. The undetected participators in the conspiracy had more serious grounds for their dislike of the person by whose instrumentality their design had

Thessaliæ campis Octavius abstulit udo
Cædibus assiduus gladio. Sed Roma PATREM—
ROMA PATREM PATRIÆ Ciceronem libera dixit.

JUV. *Sat.* viii.

Yes he, poor Arpine of no rank at home,
And made, and hardly made, a Knight at Rome,
Secured the trembling town, placed a firm guard
In every street, and toil'd in every ward—
And thus within the walls in peace obtain'd
More fame, more honour, than Augustus gain'd
At Actium or Philippi from a flood
Of patriot gore, and sword still drench'd with blood;
For Rome, free Rome, hail'd him with loud acclaim
The Father of his Country—glorious name!

GIFFORD'S translation.

been foiled, and their leaders sentenced to condign punishment. All these were united into a party acting under Cæsar as their principal, and encouraged in their discontent against Cicero by the tribunes, whose policy it invariably was, after ascertaining its direction and bias, to place themselves at the head of every popular movement. A sufficient proof of the disposition of the latter magistrates to offer him every molestation in their power, was shown at the termination of his office, when it was customary for the consuls to take a public oath that, during the year of their authority, they had done nothing contrary to the laws. The opportunity was generally taken to add an address to the people on the most remarkable events of their magistracy. When Cicero, who apprehensive of some disturbances on the occasion had thought it necessary to summon Publius Sextius with an army from Capua to preserve peace in the city, made his appearance in the Forum, and was about to commence his oration to the citizens, the newly elected tribune, Quintus Metellus Nepos, who had placed his chair upon the rostra for the purpose of inflicting this public indignity upon him, peremptorily commanded him to forbear, and to confine himself to the usual oath. The ingenuity of Cicero found a ready way of turning the restriction to his advantage, and instead of making an elaborate speech upon his consulship, of compressing all he had intended to say into a small compass; since, in the place of the customary formula, he swore, that in his year of office he had preserved both the city and the empire from total ruin. Thunders of assent on the part of the assembly, who were conscious of his not having exaggerated his services, expressed the general testimony of his countrymen to the justice of this striking and unexpected declaration, and Cicero was once more escorted home by an admiring and applauding crowd.

Yet much of the advantage he might have derived from the recollection of his eminent merits, was weakened or lost by the repetition of the same self-eulogy on less justifiable occasions. His auditors grew weary of discourses, of which the extent of their obligations to the speaker was the constant burden, and his best friends were at last offended by a vanity, which seemed only to increase in its demands, in proportion as attempts were made to gratify it. *The tribute which he exacted, he was, indeed, at all times ready to render in his turn. It has been observed, and the observation is confirmed by almost every page of his writings, that there was nothing of a monopolising spirit in his eagerness for praise, since he seldom lost an opportunity of mentioning, with even more than due honour, those among his contemporaries, whose talents or virtue he had reason to respect. But if it be true that he had, at all times, sufficient candour to allow, and to point out, the merits of others, it must at the same time be conceded, that no man ever seems to have been possessed of a more sensitive and overweening consciousness of his own.*

It remains briefly to advert to the termination of the career of the desperate adventurer, who now a declared outlaw and enemy to the state, and deprived of all hope of succour from his friends at Rome, continued, nevertheless, to maintain in Etruria a bold front against the dangers which threatened him on every side. Before the news of the execution of Lentulus and the rest of the conspirators arrived, he had managed to collect a sufficient number of adherents to form two legions, the ordinary strength of a consular army, and might have raised a far more imposing force, had he not constantly rejected the assistance of the fugitive slaves, who flocked to him in crowds, disdaining to allow the contest on which he had entered to assume the character of a Servile War.

The resolution of his partisans was the most formidable feature in his army, since not more than a fourth part of it were furnished with the weapons employed by the legionary soldiery, the rest contenting themselves with such ill-fashioned darts and slender lances as were used in hunting by the rustic population of Italy, or, in default of these, with stakes sharpened at the end. Yet, with the ill-provided throng under his command he contrived, after entering the defiles of the Apennines, for some time to baffle and elude the forces of the state, and would not have hesitated to advance upon the capital, had not the intelligence of the suppression of the conspiracy, causing numerous desertions among his followers, and convincing him that all was lost in that quarter, induced him to change his first design to a strenuous attempt at exciting an insurrection in Cisalpine Gaul. With this resolution he pursued his road among the mountains, hoping, by rapid movements and forced marches, to escape the pursuit of the consul Antonius, who, with an army much exceeding his own in number, and perfectly equipped for service, followed with all haste upon his rear. But in this expectation he was fated to encounter a bitter disappointment. The prætor Metellus Celer, who had been stationed in Picenum at the head of three legions, conjecturing what must necessarily be his operations, had in the meantime hastily decamped, and having moved along the eastern side of the Apennines towards the defiles by which the insurgents were expected to enter Gaul, was now lying at the foot of the hills, with the intention of intercepting them on their descent to the level country. Catiline, thus enclosed between two armies, and seeing no possibility of escape, turned at length, like the hunted wolf, upon his pursuers, and preferring to encounter the force acting under Antonius, although considerably larger than that of Metellus, from a faint

expectation that the consular general, from the recollection of past friendship, and, perhaps, of companionship in guilt, might prove a more favourable or a less active antagonist, offered him battle in an advantageous position near the town of Pistoria. As the cohorts of the republic came in sight, under the command of the legate Petreius, (since Antonius pleading an indisposition, which was strongly suspected of being feigned, declined to appear in the field,) he made a last speech to his men, breathing his usual fiery and determined sentiments, and exhorting all about him to prefer, if unsuccessful, an honourable death to the more ignominious fate which would infallibly be inflicted upon them if they were taken. After this, having sent away every horse from his lines, that all might be exposed to the same danger, he made his final dispositions, and taking his station with the most elevated of his adherents, beside his favourite silver eagle, which had once witnessed the Cimbric triumphs of Marius, firmly awaited the charge of the enemy*. The conflict which ensued was in the highest degree severe and desperate. The armies encountered without the usual preliminary interchange of missiles, being determined to bring the decision of the affair, as soon as possible, to close combat at the sword's point; and the ground was at first manfully disputed, neither party for some time yielding a single foot to their opponents. But the utmost valour of the insurgents necessarily proved, at length, unavailing against an enemy who combated them with equal courage, and an overwhelming superiority of strength. Petreius led his prætorian cohort against them in front, and vigorous attacks being, at the same moment, made upon both their flanks, the success of the battle was no longer doubtful. Manlius, who commanded their right wing, fell among the first slain. The rest were successively cut off, defending

* Sallust. Bell. Catil. lix.

themselves obstinately to the last, and, for the most part, covering with their bodies the exact spot upon which they had commenced the engagement. Not a single free-born citizen was taken alive of the whole number present. Catiline himself, as soon as he perceived the fortune of the day finally determined, rushing desperately into the midst of his enemies, met at length with the death of which he was in search by an unknown hand. He was found, after the battle, lying far in advance of his own front, amidst a group of the carcasses of his enemies, still faintly breathing, and exhibiting in his latest moments the ferocity of aspect for which, during his life, he had been noted. The insurrection which had struck so much terror into the people of Rome, was thus ended by a single engagement; but the victorious army had little reason to rejoice at its issue, since the flower of the troops of Antonius were either left upon the field or disabled by severe wounds. The number of those slain on the part of the conquerors, is not precisely known, but the loss of the vanquished was reckoned at three thousand. Antonius, immediately after the battle, sent the head of Catiline to Rome, and on the reception of this token of success the citizens laid aside the mourning garb they had assumed at the commencement of the conspiracy, and decreed a second public thanksgiving to the gods for the removal of the threatened danger. Of the conspirators who were not present at the battle of Pistoria, or who had escaped from it by flight, many were afterwards taken and executed. Several were also betrayed to the senate by Lucius Vettius, one of their number, who, on being apprehended, turned evidence against the rest. Cassius, Læca, Vargunteius, Autronius, with others who had been most conspicuous in the conspiracy, were banished; a few tried and acquitted; and many others, whom Vettius was preparing to denounce, saved by the in-

tervention of the senators ; who, either distrusting the veracity of the informer, or apprehensive of his implicating more than it would be safe to prosecute, silenced him by a hint that they were beginning to be weary of his disclosures, which he at once understood and obeyed.

CHAPTER V.

Domestic Dissensions at Rome between the Aristocracy, and the popular Party under Julius Cæsar and the Tribune Metellus—Letter of Cicero to Pompey—Oration for Publius Sylla—Cicero removes from his Residence on the Palatine Hill to the House of Lælius Drusus—Violation of the Rites of the Bona Dea by Publius Clodius—Disputes occasioned by his Impeachment—Pompey returns from his Mithridatic Expedition to Rome—Meeting in the Flaminian Circus—Trial of Clodius, who is acquitted—Evidence of Cicero on the occasion—Speech for the Poet Archias—Third Triumph of Pompey.

ROME, although freed from the more serious perils which had lately environed it, by the suppression of Catiline's insurrection in Etruria, still continued, like the troubled sea after the tempest has subsided, to be agitated by various less violent commotions—the effects, in the estimation of most, of the turbulent crisis through which it had lately passed, but, in the eyes of more prudent observers, the signs also of convulsions, equally serious, to come. Cæsar, who had now entered upon his prætorship, and who was in close league with the tribune Metellus, the most active instrument of the popular party, continued from this time more openly his endeavours to lower Cicero, of whose reputation he had become in the highest degree jealous, in the estimation of his countrymen. It was probably at his suggestion, that Metellus, in an address to the people in the early part of the year, accused the late consul of having acted in opposition to the laws, by inflicting death upon the five conspirators recently executed without

any regular form of trial. That as much was asserted, we may be confident upon the authority of Cicero; who also mentions, that in answer to the harangue of the tribune, he was induced to write, and possibly to deliver, an oration in defence of his conduct.* Whether this was the same alluded to by Plutarch in his life of Crassus, as the oration upon his consulate, or whether he published under that title the speech which he had been prohibited by Metellus from delivering to the citizens, seems uncertain, as there exists no positive evidence upon the subject. The attack upon Cicero was followed by one directed against Catulus by Cæsar in person, who, in his capacity of prætor, summoned that eminent senator to appear at his tribunal, on a charge of having embezzled the public money while presiding over the erection of the Capitol. Catulus had brought this show of hostility upon himself, by his zealous speech against Cæsar in the senate-house during the debate on the subject of the punishment of the conspirators, as well as by his ready aid in furthering all the designs of Cicero upon that occasion. The senate, however, espoused his cause so warmly, that the prosecution was allowed to drop. Cæsar and Metellus on this shifted their ground, and being still determined to try all means of lowering the influence of the aristocracy, prepared a law which the tribune proposed to the people for their acceptance, enacting, that Pompey should be recalled with his army from the Mithridatic war, which was on the eve of expiring, to assist in restoring the state to tranquillity. The most violent opposition was made

* Ad Attic. i. 13. The passage in the twelfth epistle of the second book of his letters to Atticus, which has been sometimes supposed to bear reference to this oration, is considered by the best authorities to allude to that afterwards pronounced against Clodius and Curio.

by the senate to this edict the instant it was brought forward, and the greater part of the patricians assumed a mourning habit, apprehending nothing less than absolute despotism on the part of a commander who would thus be virtually created supreme arbiter of the fortunes of the commonwealth. Cato, at that time tribune of the people, notwithstanding the entreaties of his friends and relatives, stood forward at the first reading of the bill, to place his absolute negative upon it. The attempt was made with considerable danger to himself, since Cæsar and Metellus had occupied the temple of Castor as a post of vantage with a strong body of armed men, and crowded the steps of the building with a company of gladiators, for the purpose of preventing, or speedily silencing, the opposition which they expected. Yet, notwithstanding these formidable preparations, Cato, as soon as Metellus began to read his proposed law, sternly ordered him to be silent, and on finding this interposition ineffectual, forcibly wrested it from his hand. Metellus, thus interrupted, endeavoured to pronounce his edict from memory, but in this he was also prevented by Minutius Thermus, one of his colleagues in the interest of Cato, who placed his hand before his mouth. A considerable number of the people, at the same time, struck with a feeling of respect for the undaunted courage with which Metellus was opposed, began loudly to signify their approbation. A scene of tumult and uproar succeeded. On a sign given by Metellus, his gladiators and armed partisans pouring down upon the citizens, speedily drove the crowd before them, and Cato, who was for some time exposed to a shower of sticks and stones, might have sustained serious injury had he not been rescued by Muræna the consul, against whose election he had so strenuously exerted himself. The latter, now forgetful of their recent enmity, on

finding all remonstrances in his behalf unattended to, covered him for some time with his gown from the fury of his assailants, and at length raising him in his arms, carried him into the temple of Castor, while Metellus finding the field clear, resumed the reading of his bill to his own faction. But the opposite party, who had only retired far enough from the scene of action to rally and reassume some appearance of order, quickly returning with loud shouts, the favourers of the bill, who imagined that their adversaries had now provided themselves with weapons, and were fully prepared for a conflict of a more serious kind than they had before sustained, fled in their turn from the Forum, and Metellus seeing that he was totally deserted by his former supporters, was obliged to follow their example. He was prevented from making a second attempt to enforce his act by the authority of the senate, who, by an express decree, determined that it was contrary to all law, and replete with danger to the existing government, and that it was therefore incumbent upon all good citizens to resist it to the utmost. Yet, although thus baffled, he was far from being disconcerted, and being unable to ingratiate himself further with Pompey by any additional attempts to extend his authority at Rome, he resolved to present himself before him in the character of one whose interests had suffered by a too warm espousal of his cause, hoping by this means to secure, for the future, no inconsiderable share of his favour and protection. In pursuance of his design, he first summoned an assembly of the people, and having endeavoured to inflame them against Cato and the aristocratic party by a bitter and malignant speech, set off for Asia to lay his complaints and representations of all he had endured before the general, of whose interests he had been the uninvited advocate.

It is not improbable that he endeavoured at the same time to work upon the jealousy of Pompey, by representing Cicero to him as a most formidable rival in the popular estimation, and, in consequence of his recent services to the state, all but absolute at Rome. This is the most obvious method of accounting for the fact, that in his despatches to the senate after the discovery of the Catilinarian plot, in which he informed them of the termination of the Mithridatic war, as well as in his private letters to Cicero, Pompey made no allusion whatever to the conduct of the late consul in his office, or to the honours bestowed upon him. His silence on the subject drew from Cicero an epistle still extant, which is far from uninteresting, as throwing considerable light upon his character, and exhibiting to the fullest extent the acute sensitiveness with respect to the praise and censure of others, for which he was through life remarkable; and which, if it proved at times a transient means of enjoyment, was the source from which he more frequently derived the most painful and mortifying feelings of disappointment. Its contents are as follows:—

“MARCUS TULLIUS CICERO TO CNEIUS POMPEIUS THE
GREAT, IMPERATOR*.

“From your late despatches, I have, in common with the rest of my countrymen, derived inexpressible satisfaction and delight, since you afford us in these such hopes of a speedy peace as, from a confidence founded on your singular abilities, I had always encouraged others to entertain. Be assured of this, however, that those persons who having been once your enemies, have recently assumed the character of your friends, are in a state of the greatest perturbation and dejection, finding themselves totally dis-

* Ad Diversos, v. 7.

appointed in the sanguine expectations they had indulged *. As for the letter to myself, although it contained but few expressions of good-will towards me, I was still able to derive from it no small degree of pleasure. For in nothing am I more delighted than in the consciousness of having performed good offices for others ; to which, if no suitable return of gratitude is made, I am well contented that the surplus of obligation conferred should be on my side. Of this I entertain no doubt, that if my utmost efforts to promote your advantage prove but a feeble bond of friendship between us, the interests of the republic will be the means of making us intimate with each other, and of preserving our union when once established. In order that you may not remain in ignorance as to what I thought deficient in your letter, I will mention it at once and without disguise, as the frankness of my own character, and my friendship with yourself, appear to demand. I have done that on which I thought I had some reason to expect your congratulations, both on the ground of our close acquaintance, and of your regard for the interests of the republic ; these however you have totally omitted, fearing, as I suppose, that you might give offence to some one by any allusion to the subject. Yet, know that the actions we have performed for the preservation of our country have been approved and admired by the whole world, and have been, moreover, so far distinguished for prudence and greatness

* Reference has been supposed by some commentators to be made in this obscure passage to Lucullus, who might naturally be expected to feel some jealousy at the success of Pompey in a command of which he himself had been deprived. Others imagine, and with greater appearance of reason, that Cæsar is alluded to, who, although he had recently affected a willingness to forward the interests of Pompey, contemplated with real dissatisfaction the increase of dignity and reputation likely to accrue to him from his subversion of the power of Mithridates.

of mind, that on your return you will not object, although far greater than Africanus, to be joined both in public duties and private friendship with one not, I trust, much inferior to Lælius *.—Farewell."

The letter of Cicero to Pompey is not the only one for which subsequent ages have been indebted to the intrigues of Metellus. There is extant an angry epistle from his brother Metellus Celer, then governor of Cisalpine Gaul, complaining to Cicero of public ridicule, which he accuses him of having thrown upon himself, as well as of severity towards his relatives; and impugning the equity of the Senate in some of their late proceedings †. The answer, which has also been fortunately preserved, is a manly vindication from these charges, and a dignified account of the provocation given at different times by the tribune, and the manner in which they had been met. It appears to have been satisfactory, and to have entirely restored the friendship, which had suffered a partial interruption.

After being the principal agent in the detection and punishment of the most active among those concerned in the attempts of Catiline, Cicero now took upon himself the office of defending one who was in imminent danger of being condemned as a subordinate member of the conspiracy. Servius Cornelius Sylla, a nephew of the famous dictator, whose guilt as one of the principal directors of the late plot was sufficiently evident, had been sentenced to banishment for the part he had taken in that transaction. His brother Publius, formerly consul elect with Autronius, but who had been hindered, as has been before mentioned,

* The famous friend of Scipio Africanus.

† It had been proposed to deprive Metellus Nepos of his tribunitial office, and the motion would have been carried but for the interference of Cato.

from entering upon office by a prosecution for bribery, was shortly after impeached by Lucius Torquatus, a son of the consul of that name, on two separate grounds of indictment—the first, an alleged participation in the design of Autronius to assassinate his father; the second, the share he was supposed to have taken in the more dangerous and extensive scheme projected by Catiline. His vindication from the former impeachment was undertaken by Hortensius, who succeeded in obtaining a verdict in his favour. Cicero then stood forward as his advocate on the next count, and delivered in his behalf the somewhat lengthened and diffuse oration, which is well known to all students of his writings. Torquatus, it appears, had endeavoured in his accusation, to lessen the impression which the circumstance of so redoubted an antagonist having undertaken the cause of Sylla might be supposed to make, by insinuations and open personalities against Cicero, whom he designated by the title of despot and king—names, in the estimation of the times, the most odious he could bestow, and of which he was well aware what would probably be the effect in Roman ears. His opponent, however, was not slow in seizing the opportunity thus afforded, of making his own actions a principal subject of his discourse, on pretence of defending himself against the unjust attack of Torquatus, and we have consequently all the imagery which had told so well in his denunciations against Catiline,—of a blazing city, reeking with the blood of its inhabitants,—the terrors of virgins and matrons,—the unsheathed weapons of remorseless murderers,—and the pillage and profanation of temples and shrines*, reproduced with evident complacency. Yet he clears himself with happy ingenuity of thought and language from the charge of cruelty which had lately been brought against him. “Why,” he asks,

* Pro Sulla, vi.

“should it excite your wonder, that in this cause I appear for the defendant in conjunction with those advocates, in common with whom I refused to undertake the cause of the other conspirators, unless, indeed, you are determined to suppose me stern and inhuman above all others, and imbued with a singular spirit of fierceness and cruelty. If on account of my late actions you are inclined to think my whole life characterised by these qualities, great, Torquatus, is your error. Nature endued me at birth with a disposition inclined to mercy; by my country’s voice I have been called upon to exercise severity; but that I should be cruel was in accordance with the designs neither of nature nor of my country. My own inclination and will have now taken from me even that external mask of sternness and vehemence which the republic, during the late perilous crisis, required me to assume. The latter exacted rigour on my part for a moment; the former ordained that pity and gentleness should be the ruling motives of my general conduct*.” Nor was his refutation of the assertion that he was assuming the prerogatives of monarchy, less effectual. “If,” he asks, “after the benefits I have conferred upon the state, I demanded no other reward for my exertions from the Roman Senate and people, but an honourable rest and retirement, who would be unwilling to grant it? And in this case, what attraction could their offices of honour and power—their provinces—their triumphs—and their other means of distinction and glory—possess for me, while enjoying the higher privilege of contemplating, in a state of quiet and tranquillity, a city preserved by my efforts from destruction? But what if I demand not even this—if the industry and solicitude on their behalf, for which I have always been distinguished; if my services, my exertions, my nights of watchfulness, are still at the command of my

* *Pro Sulla*, cap. iii.

friends, and readily offered to all; if neither my acquaintance have to regret the loss of my assistance in the Forum, nor my country that of my counsels in the senate-house; if my good wishes as well as my best efforts, my mind and ears as well as my house, are free to every applicant; if not a moment of leisure is left me even for recalling to mind and meditating upon what I have accomplished for the general safety – is such a condition, in which I cannot find a single person willing to act as my substitute, to be termed kingly authority? Far from me, after this, must be the remotest suspicion of affecting absolute power.”

Through the able pleadings of his advocates, Publius Sylla*, although his innocence could scarcely be considered as thoroughly proved, escaped the sentence of banishment passed upon his brother, as well as upon Autronius, Læca, and the other less fortunate members of the conspiracy. A circumstance is related in connexion with his trial which, if true, reflects no small dishonour upon Cicero. Hitherto the orator, with a noble disinterestedness, had refused every offer of fee or reward for his services in the Forum. He was now, however, with the intention of relinquishing the family mansion, in which he had hitherto resided, in favour of his brother Quintus, in treaty for a house close to his own on the Palatine Hill, which had been built in a costly and magnificent style for the tribune Livius Drusus†. This edifice was

* Sallust, writing some years after, ranks him among the conspirators who assembled at the house of M. Porcius Læca, at the very commencement of the plot.—Sallust. *Bell. Cat.* cap. xvii.

† Marcus Livius Drusus, tribune of the people, was one of the most active promoters of the claims of the Italian states, in their famous attempt to gain the privilege of Roman citizens. With respect to the house in question, he is said to have replied to the architect, who promised to build it in such a manner as to secure the greatest privacy to its occupant—“Rather construct it so that the

one of the most conspicuous in the whole city, looking down upon the Forum, and adjoining the portico which Catulus, the colleague of Marius, had built from the spoils acquired in the Cimbric war. Marcus Crassus, to whom it belonged, demanded for it the enormous sum of thirty-five hundred thousand sesterces, or nearly thirty thousand pounds; and although Cicero was bent upon the purchase, his correspondence shows that he was reduced to great difficulties to procure the necessary funds*. In his perplexity he is said to have applied to P. Sylla, and to have received a considerable loan from him on condition of appearing in his defence on his approaching trial. It is added, that when publicly charged with having borrowed money from a person under impeachment, for the purpose of securing the residence in question to himself, he strenuously denied both the receipt of the loan and his intention of making any offer for the house; and that being afterwards accused in the senate for his duplicity when he had actually concluded the bargain, he endeavoured to turn the whole matter into a jest, by laughingly asserting, that those must be indeed persons of weak understanding who could imagine that it would be the part of a prudent or cautious man, when he had resolved upon effect-

whole world may witness my most private actions." After a warm debate in the senate, from which he returned encircled by an immense multitude, he was stabbed as he crossed his own threshold by an assassin, who left the knife with which he had inflicted the fatal wound in his side. Cicero asserts that the name of the murderer was Quintus Varius. This event, which, in fact, was the signal for the Social War, occurred A. U. C. 663.

* In his epistle to Sextius (Ad Divers. v. 7,) he intimates that he has been obliged to borrow the money at six per cent., and has considerably involved himself in consequence. His pressing demands upon Antonius, mentioned Ad Attic. i. 12, in which he satirises his former colleague under the title of the *Trojan Lady*, and complains bitterly of his evasive answers, probably originated in his necessities on this occasion.

ing a purchase, to raise competitors for it by openly publishing his intentions*.

The oration for Sylla preceded but by a short time an event which, however trivial it might appear in its nature, drew upon it the general attention of the people of Rome, and was not without producing important effects upon the lives of two of its most distinguished citizens. Publius Clodius, a patrician of the noble house of the Claudii, which for a long series of generations was noted for the unamiable qualities of its members†, was a young man of considerable abilities and eloquence, and endued with most of the external qualities requisite to ensure an extensive popularity among the less temperate and judicious classes of the republic. But these personal advantages were disgraced by the most abandoned recklessness of all principle, an audacious libertinism, unsurpassed by that of the worst characters who had hitherto disgraced the annals of

* ἀκριβοῦς ἄνθρωπος, inquit, homines estis, quum ignoratis prudentis et cauti patris familias esse quod emere velit enturum sese negare propter competitors.—AULUS GELLIUS, *Noctes Atticæ*, lib. xii. 12. Dr. Middleton doubts the truth of the story, which he thinks must have been obtained from some spurious collection of the facetious sayings of Cicero, and certainly the character of Aulus Gellius, as an accurate narrator of facts, does not go far to establish its credit. Melmoth, however, in his translation of Cicero's letters, observes, without prejudice and with justice: "As every reader of taste and learning must wish well to the moral character of so invaluable a writer as Cicero, one cannot but regret that neither his own general regard to truth, nor the plea of his ingenious advocate, seems sufficient to discredit this piece of secret history." *

† Sueton. in Tiber. i.—who, not to mention the Claudian line of the Cæsars, cites the names of the licentious decemvir, of Claudius Drusus, and Claudius Pulcher, the unsuccessful commander of the Roman fleet. The wish of the sister of the latter, that her brother was alive to lose another battle, when her litter was impeded by the multitude of Rome, is well known. Tacitus also, (*Annal.* i. 4,) speaks of the "vetus atque insita Claudie familie superbia."

Rome, and a selfishness and low cunning which, for the most part, effectually hindered their possessor from following his vicious propensities to an extent sufficient to endanger his personal safety, although within this limit no restraint, either in public or in private, was ever affected to be placed upon their indulgence. Such a character, if once engaged against them, was likely to prove a far more dangerous opponent to the liberties of his country than Catiline; as the assailant who works his way towards the object of attack by the covert process of mining, is more to be dreaded than the one who at once rushes forward heedlessly to the assault. By constant professions of devotedness to the popular interests he had now been raised to the office of quæstor, and in that capacity was, of course, entitled to a seat in the senate. To Cicero he had long been an especial object of dislike, not only from his general conduct, but from the part he had taken in the impeachment of Fabia Terentia, sister-in-law of the orator, and one of the vestal virgins, whom he had accused of infidelity to her vows, and an improper intimacy with Catiline. Fabia, on the very verge of condemnation and its terrible consequences, was saved, principally by means of Cato, who, with all his stern coldness and inflexibility, was never an agent, or even an unconcerned spectator, of injustice, although exercised towards an enemy; and Clodius, to avoid the odium raised against him on account of his unfounded accusation, had been obliged to withdraw for some time from the city. On his return a partial reconciliation with Cicero was effected, and in the suppression of the Catilinarian conspiracy he took an active part in supporting the consul, placing himself in the ranks of the young nobility who formed a guard about his person. He, at the same time, was constant in paying his court to Cæsar, but the future dictator had little reason to be

proud of the connexion, since Clodius studiously availed himself of the opportunities afforded by his acquaintance with him, to endeavour to divert the affections of his wife Pompeia from her husband, an attempt in which there is every reason to believe that he was successful. It was during the celebration of the mysterious rites of the Bona Dea in the house of Cæsar, at which Pompeia was presiding, and while all witnesses but those of the female sex were supposed to have withdrawn from the spot, in compliance with the established custom, that Clodius, having received a secret summons to take advantage of the occasion to pay one of his clandestine visits, was discovered lurking, in the disguise of a female musician, within the forbidden precincts by one of the maid-servants of Aurelia, the mother of Cæsar, who immediately gave notice of this daring intrusion on the solemnities of the night. A cry of horror and indignation was raised by all the assembled matrons at the intelligence; the religious symbols were at once concealed; and Clodius was forcibly expelled from the house with every expression of disgust and indignation. The whole city was speedily acquainted with what, in the estimation of most of its inhabitants, was an atrocious and unpardonable act of sacrilege, and insisted loudly upon its punishment. The senator Cornificius accordingly made a motion, that the matter should be referred to the pontifical college for their decision, as to whether it was of sufficient importance to be the subject of a bill to be submitted to the people, ordaining that Clodius should be brought to his trial, before a general assembly of the citizens. On their unanimous answer in the affirmative, the consul Marcus Piso,* much against his inclination*, was ordered to bring forward the information and the proposed edict in the usual form. But the decree was strongly

* Ad Attic. i. 13.

opposed by the tribune Fufius Calenus, whom Clodius had attached to his party, and on the day appointed for the assembly, the enclosed spaces in which the centuries gave their votes were surrounded by a number of his partisans, including several of the former favourers of Catiline, encouraged by the consul Piso and headed by Caius Curio, afterwards well known for his zeal in the cause of Cæsar, a voluptuary of notorious character and a bosom friend of the accused. By their means it was contrived, that only such tablets should be presented to the people as were inscribed with negative characters*. It consequently appeared that the decision of the meeting was against the law, and Fufius, who had endeavoured to substitute a trial before the prætors, and chosen judges whom it would not be impossible to bribe, or to overawe, for one before a general convention of citizens, imagined that he should now be able to carry his point. Catb, however, seconded by Hortensius,† Favonius, and several of the nobility, after indulging in a severe harangue against Piso for his unfair practices, put an end by his interference to the proceedings of the day. The senate firmly adhered to their first resolution, and all things seemed to promise a struggle of no ordinary violence and of some continuance between the Clodian faction and their opponents.

In the midst of these disputes, Pompey having returned with his victorious army from Asia, landed at Brundisium. His first proceedings on reaching

* *Tabulæ administrabantur ita ut nulla daretur "Uti rogas."*—Ad Attic. i. 14. The Roman citizens, when called upon to deliver their votes upon any subject laid before them, passed by centuries into certain inclosures, called *ovilia* or *septa*, over bridges "*pontes*," at the end of which each person was presented with two tablets, the one inscribed with the initial letters of the words *Uti rogas*, "Be it as you will," the other with the letter A for *Antiquo*, or "I am opposed to any innovation." One of these was thrown by each voter into the *cista* or chest placed to receive it, and the majority of tablets for or against the measure were taken as the opinion of the whole century.—See Adam's Roman Antiquities, 8vo., p. 85.

Italy were watched with considerable anxiety, since it was suspected that he would immediately march with his whole force upon Rome, where the posture of affairs was such that he would have had but little difficulty in raising himself, with the assistance of the redoubted veterans who followed his standards, to absolute power, if such had been his intention. It is questionable, however, with all his ambition and selfishness, his love of authority, and jealousy of its exercise by others, whether despotic dominion, at the expense of the ruin of the constitution, was ever the subject of his thoughts. From whatever motive, the liberties of his country, although laid defenceless in his path, were for this time spared. His troops were no sooner disembarked, than they were ordered to disperse, and wait at their respective homes his orders for reassembling under the walls of Rome to adorn the triumph of which he was in expectation. He himself, with but the ordinary retinue of a proconsul, pursued his way leisurely to the capital, in the suburbs of which he took up his quarters, until the senate should have come to a determination with respect to the honours he was soliciting. The public were not slow in testifying their sense of his moderation; but the unanimity of all ranks in lavishing every expression of adulation upon him, was not solely to be ascribed to their appreciation of the forbearance he had exhibited, since, amidst the factions into which the state was beginning every day more distinctly to break up, the partisans of each were anxious to secure the support of so able a patron. By a refined flattery, the meetings of the senate and assemblies of the people were frequently, to do him honour, held at this time without the walls, and the Flaminian circus* was ordinarily the spot selected for the latter purpose. It was in this building that the

* In the eighth region of the city, and near the Campus Martius.

scene took place which has been described by Cicero with so much amusing self-complacency, and which forms the subject of his fourteenth epistle to Atticus.

"I fear," he writes, "it would look like affectation* on my part to inform you of the multiplicity of my present engagements, yet my attention has been latterly so distracted; as scarcely to allow me leisure even for this short epistle. The time I devote to it has, in fact, been snatched from affairs of the greatest moment. Of the nature of Pompey's first address, I have already informed you:—an oration without comfort to the wretched—without weight to the wicked—unpleasant to the great—undignified in the estimation of the good; so cold and insipid was its character. Immediately after it, Rufius, that most frivolous tribune of the people, at the instigation of the consul, introduced Pompey to the assembly. This took place in the Flaminian circus, which, as it happened to be a market day †, was crowded to excess. The first question proposed to him was, whether he was of opinion that the judges should be appointed by the prætor, and by whose counsel the said prætor was to be directed. This was meant of the sacrilege of Clodius, which had been appointed to be tried by the senate. Pompey in reply made a speech of the most aristocratic tendency, answering, and at some length, that the authority of the senate appeared to him, as it had ever done, on all points of the greatest

* *Vereor ne putidum sit.* The very happy rendering of Melmoth.

† "*Erat in eo ipso loco nundinarum* *πανάγορς.*" In more ancient times, not only were assemblies of the people forbidden to be held on the *nundinæ* or market days, but the courts of justice also strictly closed. By the Hortensian law it was afterwards enacted that the prætors should continue to sit on these days, that justice might be more conveniently rendered to the country people who, on such occasions, came with their produce in great numbers to Rome. This innovation having been made, the regulation respecting assemblies of the people was less strictly attended to.

possible weight and importance. He was subsequently asked by the consul Messala in full senate, what he thought of the sacrilege and the bill which had been promulgated upon that subject. His answer was a general eulogy upon all the late proceedings of the senators; and as he sat down at its conclusion, he observed to me that, in his own opinion, he had now satisfactorily replied in relation to these matters. Crassus observing that the applause which followed was given to Pompey on the supposition that the approbation he had expressed was meant to apply to my consulate, then rose, and in the most honourable terms commented upon my conduct in that office, even going so far as to say, that it was owing to me that he was still a senator and citizen; that he owed both life and liberty to my exertions; and that as often as he beheld his wife, his home, and his country, he was presented with evidences of his obligations towards me. Not to dwell upon this subject, the whole of that scene of fire and bloodshed which I have been accustomed in different ways to describe (and you well know my style of colouring*) in those orations of which you are the supreme Aristarchus, he drew with the utmost force and dignity of expression. I was sitting next to Pompey, and plainly saw that he was moved by what had been said, either because he saw that Crassus thought it worth while to cultivate a friendship which he himself had neglected, or that my actions had been such as to render the senate willing auditors of my praises:—praises too, be it observed, from a person who was under the less obligation to me, inasmuch as he himself had hitherto been generally treated with slight amidst my commendations of his rival. This day has placed me on the most amicable terms with Crassus.

* In the original *ληκύθους*, the small vases in which artists were accustomed to keep their colours.

From Pompey, moreover, I pretended willingly to receive the compliments which he openly paid me, whatever might have been his secret sentiments. But as for myself, ye Gods! in what a manner did I display my powers before my new auditor. If ever harmonious periods—well turned expressions—profound conception and skilful arrangement have suggested themselves to me, it was on this occasion; in a word, I drew forth shouts of applause. This was the argument of my discourse:—the dignified conduct of the senate—the unanimity of the equestrian order—the general tranquillity of Italy—the extinction of the remains of the conspiracy—the ease and plenty now enjoyed. You know with what pomp of language I am accustomed to treat these topics. I need say no more, as the clamorous approbation I excited must, ere this, have reached your ears*.”

The senate continued for some time still occupied by the consideration of the sacrilege of Clodius, which they were fully resolved, notwithstanding all opposition from without, to make the subject of a trial before the people. On a fresh motion being made upon the subject, although Clodius had recourse to the most abject supplications to prevent it, it was determined by a majority, nearly in the proportion of four hundred to sixteen, that no business should be entered upon until the necessary bill should be passed. On the other hand, the accused, assisted by Curio, used every means to excite the sympathy of his faction, by frequent harangues against the severity of the senators. The favourers of both parties, from angry words and threats, were proceeding to more

* Ad Attic. l. xiv. Atticus, who had been in Rome during Cicero's consulate, returned to Greece immediately after its conclusion. The letter of Cicero, recommending him to Antonius, at this time proconsul of Macedonia, is still preserved.

palpable demonstrations of violence, when Hortensius, fearful of the consequences, interfered with all his influence to obtain the middle expedient of a trial before the prator. The guilt of Clodius was so notorious, that it seemed indifferent what means were taken to bring about his condemnation, and it was openly stated, in the proverbial form of expression then commonly in use, that even a leaden sword would be sufficient to destroy him *. His adversaries, however, were not fortunate in their anticipations. No sooner were the judges appointed, than they were assailed by bribery of the most open description, and in a shape sufficiently manifesting the prevalence of general demoralisation to a most astonishing extent, if they have not been calumniated by Cicero. The evidence, moreover, at the trial itself, was far more favourable than had been anticipated, since Cæsar, who was expected to prove the most formidable witness on the side of the prosecution, appeared the least willing to make any representation which might lead to a conviction. Immediately after the occurrence on which the indictment was founded, he had, indeed, sent a bill of divorce to his wife, but when called upon to give his open testimony in the cause, he replied, to the utter astonishment of all present, that he was not conscious of having sustained any injury at the hands of Clodius. On being asked why, if such were the case, he had formally divorced Pompeia, he made the well known reply, that the fair fame of the wife of Cæsar should not only be unsullied by actual guilt, but uninjured by the slightest shade of suspicion. The answer had little to recommend it to admiration. Clodius, with a numerous and audacious faction at his back, was too useful an instrument in furthering his aspiring projects, not to be propitiated at any expense; and there can be no doubt that

* Ad Attic. i. 16.

feeling of injury on the part of the dishonoured husband was, on this occasion, readily sacrificed to the absorbing principle of ambition. Cicero was more honest in his evidence, although to the detriment of his own interests. Clodius had confidently relied upon being able to establish an *alibi*, and produced witnesses who, notwithstanding the testimony both of Aurelia and of Julia, the sister of Cæsar, as to his presence at the mysteries, confidently swore that he was on that day at Interamna *. This daring perjury, however, if it could have been believed for a moment, was rendered unavailing by the counter testimony of Cicero, who made oath in his turn, that Clodius had, on the morning of the day in question, paid him a visit in his house on the Palatine Hill. The process, notwithstanding, terminated in favour of the accused, since, of the fifty-six judges, twenty-five alone had the honesty to give sentence against him. The rest presented their tablets inscribed with the character of acquittal †. Fully conscious, however, of the danger into which he had been brought by the unbiassed evidence given in the cause by Cicero, Clodius left the court with a feeling of mortal hatred against him, which from that hour to the day of his own death was unremoved, and immediately

* About eighty miles from the city.

† In accordance with the general principle recognised at Rome as well as Athens, of passing judgment by ballot, each of the "Judices" was supplied before the trial with three tablets severally inscribed with the letters A, C, and NL, for *Absolvo*, "I acquit," *Condemno*, "I condemn," and *Non liquet*, "There is not sufficient evidence." One of these, in the same manner as at elections, or the passing of laws by the people, was thrown by the "Judices" into a box or urn, and the prætor on ascertaining, by counting them over, the preponderance of favourable or unfavourable opinions, was enabled to give judgment accordingly. Plutarch states that at the trial of Clodius, the "Judices" erased the letters on their tablets; an expedient which was sometimes adopted when there was a hazard of offending one of two powerful parties.

commenced the series of persecutions against him, the effects of which were severely felt before long by the object of their unwearied exercise. In every assembly of the people he took means to display the conduct of the late consul, in his suppression of the conspiracy of Catiline, in the worst light, and frequent verbal encounters seem to have taken place upon the subject * between Cicero and his malicious detractor, whose attacks in the senate were answered by a powerful oration against his own character and that of Curio, which is lost †, and certain witticisms, not remarkable for their point or polish, which Cicero in his correspondence has preserved. These, if their merit in other respects is not so obvious, afford, at least, a curious evidence of the extent to which personalities were allowed among those whom imagination, and sometimes history, is accustomed to picture as the dignified and majestic counsellors presiding over the destinies of Rome.

Towards the close of the consulate of Marcus Piso and Valerius Messala, the famous cause of Aulus Licinius Archias was pleaded before Quintus Cicero ‡, who at that time held the office of prætor at Rome previously to his obtaining the province of Asia, where he continued for the next three years. Archias

* Ad Attic. i. 16. Cum enim ille ad conciones fugisset, &c. "For when Clodius had recourse to his popular assemblies, and there made a wicked use of my name, immortal Gods! what encounters did I sustain! What a slaughter did I make! With what fury did I charge Piso, Curio, and that whole band! How warmly did I inveigh against the corruption of the old and the intemperance of the young. Often, indeed, did I wish for you, not only as the director of my conduct, but as the spectator of my conquests."—*Melmoth.*

† A few fragments, with an anonymous commentary, have been lately discovered and published by Angelo Maio. The oration seems to have been replete with biting irony.

‡ This interesting fact has been ascertained by an ancient commentary upon the oration for Archias, which is among the valuable discoveries effected by the learning and industry of Maio.

was a native of Antioch, celebrated for his poetical talents, which had recommended him to some of the most distinguished families of Rome, and his name has already occurred in this narration as, in earlier days, the honoured and esteemed instructor of Cicero. A few years before the law of the tribunes Silvanus and Carbo had been passed *, ordaining that all strangers enrolled as citizens by the confederate states should be considered entitled to the privilege of Romans, provided they possessed a habitation in Italy at the time, and gave in their claim to the prætor within sixty days after the date of the edict, he had obtained, by the patronage of Lucullus, and the general sense entertained of his merits †, the freedom of Heraclea in Lucania, by virtue of which he had hitherto passed as a Roman citizen. But the public records of the Heracleans were destroyed in the Social War, and, in the deficiency of this evidence, he was accused under the Papian law, providing against the assumption of the rights of citizenship by persons unduly qualified. The prosecutor Grattius founded his indictment upon the several propositions, that he had never been enrolled as a member of their state by the Heracleans, or if so, that he had neither possessed a residence in Italy, nor given in his name within the time appointed to the prætor. Cicero, who readily presented himself as his advocate, bestowing comparatively little attention upon the refutation of the two latter counts, devoted his principal efforts to establishing by witnesses from Heraclea, as well as by the evidence of

* A. U. C. 664.

† It has been generally believed, that the merits of Archias as a poet were greatly exaggerated both by Cicero and his contemporaries in general. Yet, as this opinion is founded only upon the fact of a few epigrams in the Anthology, the subject, to say the least of it, is yet open to doubt.

Lucullus, the fact of his having been formerly presented with the freedom of the place. He then proceeded to argue, that even if Archias was not at the time a citizen of Rome, he richly deserved, by his genius and attainments, to be reckoned as one.

If we had only been acquainted with the general features of this cause, and if the pleadings of Cicero in connexion with it had altogether perished, imagination might have suggested the genius of the advocate as likely to have been roused to no ordinary exertion of its powers, on a subject so much in unison both with his taste and feelings. Nor would the supposition have been erroneous. The oration for the poet Archias is one of the most noble tributes ever paid to literature by eloquence; harmonious and seductive, like all other productions of the accomplished speaker by whom it was delivered, by the singular grace of its style, but possessing, independently of these extrinsic ornaments, the higher recommendation of being but an echo to the true feelings of the orator, and of illustrating a topic which would have given dignity to a less imposing, and interest to a far less skilfully arranged discourse. Amidst the turmoil and bustle of the Forum, and before a crowd of auditors for the most part accustomed only to the cramped arguments and conventional idioms of litigation, it must at least have been produced under the double advantages of novelty and contrast, characteristics which seldom fail of ensuring admiration under judicious management; and Cicero himself, whose literary fame will at all times rival, if indeed it is not thought to surpass, his oratorical reputation, seems, in the midst of the feverish course of ambition he was now pursuing, to have seized with avidity the opportunity of showing that his best affections were still fixed upon the more calm delights afforded by those studies which he has so beautifully described;

as the sufferer in a calenture is said to have constantly before his eyes, the fresh pastures and cooling streams, from which he is unavoidably debarred. To make mention of any particular parts of this highly finished and perfectly tuned discourse, would be almost to reflect upon others which are equally deserving of praise. Yet few will be unwilling to recal to mind the passages in which he defends his own attachment to pursuits far too rare among many of the eminent men of his time, and eulogises the whole circle of sciences, affirming that all are connected by a common bond, with a reservation in favour of poetry, which he characterises as a divine afflatus, distinct in its nature and unattainable by the ordinary methods of intellectual exertion. "Rocks and deserts," continues the pleader, "find an answer to the human voice—even ferocious beasts are influenced and arrested by the sound of song; and shall we, who have been the subjects of the best instructions, remain insensible to the numbers of poets? The people of Colophon give out that Homer was a native of their city. The Chians prefer the same claim—the Salaminians appeal against both in favour of their own island—and those of Smyrna confidently point to the temple erected to his honour, as an evidence superior to all. Many other cities are fiercely at issue on this subject of contention. Can we, the while such disputes are raised respecting a foreign poet long since dead, reject one yet living, and our own both by his own inclination and the authority of the laws; one, too, who has devoted all his studies and the full force of his genius to raising and rendering celebrated the glory of the Roman name?"*

* Pro Archia, viii. ix. Archias, as it may be ascertained from the following part of this oration, imitating the example of Ennius and other metrical annalists, had written in verse the history of the Cimblic War, by which he was recommended to the favour of Marius, and subsequently the campaigns of Lucullus against Mithridates, which ensured him another powerful patron. It seems to have been

This latter argument had, in all probability, a much greater influence in determining the question to the advantage of Archias, than all the evidence produced in his favour; but by whatever arts his eloquence was principally enforced, the orator had not the mortification of finding it to be ineffectual, since it appears that his client was, for the future, allowed to remain in possession of the privileges to which he laid claim, without further opposition.

In the autumn of this year Pompey enjoyed his third and most splendid triumph over Mithridates, the celebration of which occurred on the twenty-ninth day of September. The day appointed, being also that of his birth, was considered particularly appropriate for the ceremony, which, from its magnificence and imposing circumstances formed, for some time before and after its occurrence, the absorbing topic of conversation at Rome. On the two former occasions he had triumphed over Europe and Africa. The addition of Asia now constituted him, in the eyes of his admirers the conqueror of the whole world; although, with our acquaintance with the immense regions which lay alike beyond his knowledge and his grasp, we may be inclined to smile at the appellation, and he was consequently compared not only to Alexander, but to the more ancient heroes and divinities Bacchus and Hercules. As one day was found wholly insufficient for the pageant, it was extended to the end of the next, and during the whole of that time the eyes of the spectators were dazzled with successive exhibitions of the gorgeous trophies,

common indeed for all the generals of that age to be attended by an historical laureate, the person who fulfilled the office for Pompey being Theophrastus of Mitylene. Cicero, apparently little imagining that his own writings would prove his best monument in the eyes of posterity, mentions, that Archias had also begun to celebrate his own consulship, and seems nervously anxious that the poem on the subject should be completed.

won by the army of the East, or by the more substantial riches which were on the point of being transferred to the public coffers. The territory subdued was with pompous brevity described in the temple of Minerva, afterwards built from a part of the spoils, as the whole region situated between the Mæotic lake and the Red sea, but in the procession the conqueror condescended to enter more into detail, describing himself as having subjected by force of arms, after his suppression of the pirates who had infested the Mediterranean sea, the countries of Asia, Pontus, Armenia, Paphlagonia, Cappadocia, Cilicia, Syria, Scythia, Judæa, Albania, Iberia, the island of Crete and the district inhabited by the Bastarnæ, as well as having overcome the two powerful monarchs Mithridates and Tigranes ; thus finishing with glory a war of thirty years' duration, and making the province of Asia, which had been hitherto the extremity, now only the centre of the Roman dominions. One thousand eight hundred cities and fortresses were said to have been reduced, eight hundred and forty-six galleys burned or taken, and two millions of enemies routed, slain, or made prisoners in the field. Among the captives was Aristobulus king of Judæa, the representative of the violated sanctity of the Holy City ; a manifest sign of the departure of the Divine protection from which had been exhibited by the presence of the heathen general in the most sacred part of its temple, after he had stormed its ramparts, and deluged its courts with the blood of their defenders. Zozime, wife of the king of Armenia, and Tigranes his son, with the wife and children of the latter, the sister of Mithridates and her five sons, the chiefs of the pirates, and the hostages of the Iberians and Commageni, were also led in bonds before his chariot. The most rare productions of Asia, including the ebony tree of India and the famous balsam plant

of Syria, gave variety and increased interest to the spectacle, amidst piles of armour collected from fields of battle, and models of towns acquired by capitulation or assault. The wealth, both in coined money, bullion, and jewels, displayed, introductory to its being deposited in the treasury, was such as might excite doubts of the accuracy of the historians by whom it has been mentioned, were it not at the same time remembered, that the riches thus acquired had been accumulating for years under the grasping tyranny of the despotic princes from whom they had been wrested, and that the effect of Roman conquests was generally such as to leave the countries which had dared to offer an ineffectual resistance, drained, to the very utmost, of their resources. To descend to particulars, some of which may be thought to have exhibited a semi-barbaric taste on the part of the conquerors, there was carried in the procession a bust of the triumphant general entirely encrusted with pearls*, a mountain of solid gold encircled by a vine of the same metal, and covered with chased figures of stags, lions, and fruits of different descriptions, a golden moon thirty pounds in weight, thirty-three crowns of pearls, three statues in gold of Mars, Minerva, and Apollo, a chess-board and counters made from two large gems (probably crystal) three feet wide and four long, and several golden cups, vessels, and couches, richly adorned with costly jewelry, among which were borne several of those chalices termed myrrhine, formed from materials now altogether unknown, but so much valued for their beauty as sometimes to be bought at the rate of three hundred talents each. In

* Pliny, Nat. Hist. xxxvii. 6, who makes bitter complaints against this luxurious and extravagant use of a gem which had hitherto constituted the ornament of females only. "*E margaritis, Magne, tam prodigâ re et feminis repertâ, quam gerere te fas non sit, hinc fieri tuos vultus,*" &c. &c.

addition to this lavish display of precious materials, the abundance of which might well sustain a comparison with the golden harvest reaped in after ages from the virgin soil of Mexico and Peru by the soldiers of Cortez and Pizarro, the sum of twenty thousand talents* was added to the public funds, after a reward of fifteen hundred denarii had been bestowed upon each common soldier, and one proportionably greater upon the officers. It was further ascertained, by the tablets presented to the gaze of the populace, that the revenues of the state, which had hitherto amounted to but fifty millions of denarii, were increased by the late conquests to eighty-five millions.

Such were the circumstances of a pageant which has been ostentatiously recorded as surpassing all before it in splendour, and indicating, to a greater extent than any that had preceded it, the irresistible force of the armies of Rome and the military genius of their leader. Yet the star of the general, who formed on the occasion the principal object of attraction to the enthusiastic and applauding multitude! —the envy

* About three millions three hundred and sixty thousand pounds.

† No English reader can be displeased it being reminded of the description, in reference to Pompey's triumphs, placed by Shakspeare in the mouth of the tribune Marullus.

You blocks, you stones, you worse than senseless things!
 O, you hard hearts, you cruel men of Rome,
 Knew you not Pompey? Many a time and oft
 Have you climb'd up to walls and battlements,
 To towers and windows, yea, to chimney-tops,
 Your infants in your arms, and there have sat
 The live-long day, with patient expectation,
 To see great Pompey pass the streets of Rome
 And when you saw his chariot but appear,
 Have you not made an universal shout,
 That 'Liberty' trembled underneath her banks,
 To hear the replication of your sounds,
 Made in her concave shores? &c.

Jul. Cæs. Act i. sc. 1.

of the aspiring—the wonder of the weak and the idol of the timid, who saw in his elevation a sufficient guarantee for their own safety and that of the republic, seems to have culminated upon this day, in which every kind of incense was offered to his vanity. From henceforth his career was to be characterised, with but few exceptions, by a series of mortifications and perplexities, by a daily decrease of reputation, and a hopeless struggle against a rival possessed of a genius far superior to his own, ending in a downfall disastrous and terrible, in proportion to the greatness of which it formed the instructive termination. The party, however, to which he owed his ultimate ruin were at the present time disposed to consider him as their friend—the senate and aristocracy, although unable to see what intentions were concealed beneath the mask which his cold and artful policy had assumed, were willing to court his favour by every show of outward deference ; and the rival who was destined, at a period yet to come, to hurl him to the dust, was only beginning to prepare himself for the dazzling career allotted to him, by a temporary command in a distant province. At this moment, as Sallust has remarked of Marius upon a similar occasion, the hopes, the expectations, and the desires of his countrymen, were fixed upon himself alone.

CHAPTER VI.

Consulate of Lucius Afranius and Metellus Celer—Coalition of Pompey with Clodius—First Triumvirate—Characters of its Members—Cicero composes in retirement his History of his Consulship—Julius Cæsar and Calpurnius Bibulus returned Consuls—Agrarian Law of the former—He is opposed by Cato—Adoption of Clodius into the Plebeian Family of Publius Fonteius—Oration of Cicero for Flaccus—Clodius elected Tribune—Decline of the Influence of Pompey—Cæsar offers a Commission to Cicero, as his Lieutenant, in the Gallic War—Letter of Cicero to his Brother Quintus in Asia—Acts brought forward by Clodius at the commencement of his Tribuneship—His Law against the arbitrary Infliction of Capital Punishment passed by an Assembly of the People—Distress of Cicero—He applies for Protection to Pompey without effect, and prepares to retire into Exile—Expressions of Public Opinion in his Favour—He withdraws from Rome.

THE first exertion of power on the part of Pompey, after his return to Rome, was his procuring the consulship for Lucius Afranius, a candidate of the meanest order of intellect and principle, and only remarkable for his servile devotion to the interests of the patron by whose influence the honour was conferred upon him. The election, according to the then prevalent custom, was distinguished by the most unblushing corruption, the purchase-money being distributed to the voters by the agents of Pompey in open day, and in full sight of the citizens. The better disposed part of the community, however, derived some comfort from the character of Quintus Metellus Celer, the colleague of Afranius, who had on many occasions exhibited himself as a true patriot and well-wisher to the interests of his country. His constancy, in the early part of his magistracy, was put to a severe test. The tribune Flavius, having brought forward an Agrarian law, dividing certain lands of Italy among the soldiers of Pompey and the

commons of Rome, Metellus, on opposing it to the utmost of his power, was committed to prison by Flavius, and when the greater part of the Senate attempted to accompany the consul to his confinement, the tribune, having placed his chair before the prison door, peremptorily forbade their approach. Such facts confound the jurist who attempts accurately to analyse the constitution of Rome. They might, at the same time, lead any one entering upon this field of historical research to deny the possibility of the existence of any government administered by powers so diametrically opposed and so ill defined in their extent and limits, were it not remembered that the anomalous authority of the tribunitial office, if not neutralised by the existence of different opinions among the body of men invested with it, as was frequently the case, was at all times almost entirely directed by the public opinion, to which it owed its existence, and of which it was the mere instrument. The indignation of the citizens was so strongly expressed on this occasion, that Flavius was speedily obliged to release the magistrate he had insulted, whose reputation was in consequence raised to a still higher pitch. Cicero spoke upon the Agrarian law of Flavius* cautiously and ambiguously, as was necessary on so delicate a subject, the more especially as the bill was backed by the authority of Pompey. In consequence of his proposals of making certain alterations and exceptions which would make it necessary to re-model it to a great extent, and of the intervention of more important subjects of consideration, it appears that the bill was ultimately abandoned.

In order to ensure the election of Afranius, Pompey, as the only means of securing the interest of the party acting under his influence, had been obliged to

* Ad Attic. i. 19.

enter into a partial coalition with Clodius, although he had for some time affected in public so close an intimacy with his rival, as to be jestingly designated among the multitude by the name of Cneius Cicero*. He was received with open arms by the turbulent faction with whose movements he thus began to be identified, but soon found himself prized by his new allies, as all must expect to be who act as traitors to their own convictions and principles, from the hope of self-aggrandisement. Encouraged by his support, and by his own growing importance among his partisans, Clodius now openly aimed at the tribuneship, and began, in conjunction with Herennius†, who was himself tribune of the people at the time, to agitate the plan which he afterwards carried into effect, of causing himself to be adopted into a plebeian family, for the purpose of rendering himself eligible to the office.

The consequences of such a step to Cicero might easily have been foreseen, but no attempt was made on his part to avert them, by concessions to his enemy. On the contrary, he seems to have taken every opportunity of provoking him, by the exercise of that sarcastic wit which he was never able to restrain, with whatever mischievous results to himself it might appear likely to be attended‡. The

* Ad Attic. lib. i. 16.

† Ad Attic. i. 19.

‡ An instance of this is given, Ad Attic. ii. 1. — Ille autem non simulat, sed plane tribunus plebis fieri cupit, &c. "As to Clodius he now solicits, without any mask, for the tribuneship of the people. When the matter came before the senate I confounded the fellow, censured his inconstancy in standing for the tribuneship of Rome, when, but the other day, he declared, in Sicily, he would stand for the ædileship. I said that we had no real reason to be alarmed, since he would, in the character of a plebeian, have no more opportunity for distressing his country than the patricians, whose example he followed under my consulship. In the next place, having understood that he had boasted in an assembly of the people of having come to Rome in seven days from the straits of Sicily, and that he had entered the city by night to prevent the crowd

increasing power of Clodius was not the only gloomy prognostic by which the political horizon at Rome was at this time darkened. At home the state was again agitated by disputes between the senate and the equestrian order, partly on account of the real or imputed mal-administration by the latter of the public revenues, of which they were the farmers, and partly on account of the partiality shown by the judges in the recent case of Clodius. The common people, on the other hand, looked suspiciously upon both, and, under the guidance of unprincipled leaders, who maintained their ascendancy over them by flattering their most extravagant desires, were ready for any overt act of violence, which might lead to the perplexity of the ruling orders. Abroad appearances were such as daily to threaten the beginning of a Gallic war, a word at all times unmusical to Roman ears; since the Helvetii were known to be making preparations for the expedition in which they were afterwards discomfited by the genius of Caesar, while the Sequani and the Ædui were rising in arms to oppose them. On all sides the elements of discord lay thickly scattered, and only required the direction and arrangement of minds sufficiently powerful and determined to discharge their fury in a tempest of terrible strength and duration, upon a state ill qualified, from the effects of still recent disturbances, to withstand the shock.

who were to come out to meet him I said there was nothing strange in a man's coming in seven days from Sicily to Rome, when, in three hours, he could come and go from Rome to Interamna; that it was not the first time he had entered the city by night; and that nobody by going out to meet him had obstructed his approach when they ought to have done it most."—*Melmoth*. The pun, however, contained in the last clause, "non esse itum obviam, ne tum quidem, cum iri maxime debuit," has hardly been clearly translated, and is, perhaps, untranslatable. "Had placed themselves in his way," will, perhaps, convey in some measure the double meaning of the writer.

From this year, in fact, is generally dated the commencement of that well known and fatal struggle, which, after a long series of alternations, marked by the desolation both of Italy and its tributary provinces ; the sacrifice of thousands of lives, including many of the noblest and best of the age ; the annihilation of most of the established forms of the constitution ; and, what was worse, of the little principle which remained amongst its members,—ended by precipitating the state into the most frightful condition of government recorded in the pages of authentic history. Like many other contentions, the last to which the Republic was exposed, originated in a secret league and compact between its most powerful citizens. Similar combinations for the purposes of self-aggrandisement might have taken place before, with comparatively little injury to the constitution ; but the name of THE FIRST TRIUMVIRATE warns the student of the annals of Rome to prepare to bid farewell to that outward form and semblance of liberty, which, to whatever extent the reality might have been absent, had, up to this time, continued to haunt the ruins of the more equitable institutions of preceding periods, and, from henceforth, to look for nothing but the exhibition of arbitrary power, either on its ascendant or fully established, with its pretensions as well as its exercise, its continuance no less than its origin, based only upon the aid and countenance of military force. Yet, as the rise of so stupendous a fabric was majestic and imposing, so neither was its decline without dignity, nor its ruin unaccompanied by circumstances well calculated to insure the attention and interest of all ages. In almost every particular the stern principle of impartial retribution may clearly be traced. The sword which had made so many regions desolate, and so many cities tenantless, was now for years to be red with civil slaughter ; and

the hands, which had so long been employed in forging chains for subject kingdoms, on the point of being yielded to the manacles of domestic tyranny and oppression. The fierce soldiery who had been employed as the instruments of effecting conquest and spoliation abroad, were themselves about to rivet and render indissoluble the yoke of degrading bondage at home; and the title of Roman, hitherto a sound of distinction and terror in three quarters of the globe, was soon to signify the meanest and most abject of slaves, whose possessions and very existence depended upon the mood of a gloomy misanthrope, a brutal sensualist, or even of a capricious maniac, unfortunately invested with the substance, as well as the ensigns of imperial power.

These results, if they had been predicted, would probably have been considered as on a level with the wildest and most improbable creations of imagination, at the time when Cæsar, having returned from his province of Spain, entered, in conjunction with Crassus and Pompey, into the short-lived confederacy productive of such disastrous consequences to themselves, as well as to the liberties of their country. The motives actuating each have been briefly yet expressively stated by an ancient writer, who has asserted that the object of the first was to acquire power, that of the second to retain, and that of the third to increase it. Thus influenced, the parties to this dangerous conspiracy agreed to lay aside their mutual jealousies, and to devote all their efforts to the promotion of each other's interests. No office of consequence was to be allowed to be conferred upon any individual without their sanction, nor any rival to stand opposed to the advancement of one without drawing upon himself the resentment of the rest. The very terms of the coalition argued its speedy

dissolution ; yet on whatever basis it might have been arranged, but one issue could have been expected from the characters of those of whom it was composed, and the ends to which it was intended to be subservient.

If an attempt were made accurately to delineate the principal actors in the first part of that drama, of which Pharsalia, Philippi, and Actium were subsequent scenes, the powers of the biographer or historian might, perhaps, hardly be considered taxed to any great degree of exertion in placing the prominent qualities either of Pompey or of Crassus before his readers. The former appears to have been rendered great at least as much by favourable circumstances as by his own talents. His military exploits were indeed considerable, but with the resources entrusted to his hands he could scarcely have effected less ; and his highest praise may be expressed by the assertion, that he never acted below them. The army, to the command of which he succeeded in early youth, had been thoroughly trained and disciplined by his father Strabo, a general of no light merit, and was, probably, in all points superior to the ill united troops of the Marian faction ; who fought under all the dispiriting impressions produced by the want of a suitable leader to supply the place of their celebrated chief, and the consciousness that they were engaged in a sinking cause. His campaigns in Spain proved that he was no match for Sertorius, (who, indeed, seems only to have required a more extensive field for the display of his talents, to rank with the first generals of antiquity,) since, until the assassination of that celebrated partisan by Perpenna, the event of the war continued to waver in the balance, notwithstanding all the advantages possessed by the forces of the senate. With the prodigious armament placed under his command, bearing with

it the flower of the military force of Rome, it was no difficult matter to sweep the Mediterranean of the marauding squadrons by which it was infested; and the effeminate Asiatics, led into the field by Mithridates and Tigranes, seem, under the effect produced by the previous victories of Lucullus, and their own cowardice, to have subsequently offered only such a resistance as might have shamed even the victors themselves to encounter. The praise of readiness, of celerity, and of great personal daring, cannot, indeed, be denied him, nor the power of acquiring the confidence of those under his command; but in none of his operations do we distinguish that extensive power of combination, that almost intuitive perception of the designs of his antagonist, with that aptitude in making arrangements for encountering and obviating unfavourable contingencies long before their occurrence, which render a mastery in the art of war, mischievous as, in most cases, it may be, one of the most difficult of human attainments. His judgment, although in general sufficiently shrewd and piercing on those points in which his interests were concerned, does not appear to have been of the highest order, nor his moral qualities such as to dazzle and ensure the admiration of his countrymen. Above all, he seems to have been deficient in the most essential art towards ensuring success as a popular leader—the art of disguising the profound selfishness on which such a character is too often based, and which, certainly, formed a prominent feature of his own. His eloquence appears not to have risen much above the level of that possessed by almost every Roman; and his stately frigidity of manner, producing the necessary disadvantage with which it is accompanied to all who indulge in such a carriage, of speedily reducing the affection of those best disposed towards them to the same temperature, may also be considered as

auguring a consciousness of the want of those higher intellectual resources, which, being sufficient in themselves to excite and to keep alive the wonder of others, enable their possessor to dispense with any outward assumption of superiority. Crassus, although inferior to Pompey in the extent and lustre of his services, as well as his abilities for war, and unsurrounded by the splendour of foreign conquests and triumphs, was yet his superior in some respects, and his equal in many more. In the field he had proved himself at least an officer superior to any of those who had been sent before him with the command against Spartacus. At the bar he was known as an eminent pleader, thoroughly acquainted with the theory and practice of the then existing system of jurisprudence, and endeared to a numerous class of citizens, as well by his readiness to undertake the cause of the poorest who claimed his assistance, as by the general affability of his deportment. His immense wealth, at the same time, ensured him the command over thousands among the necessitous, towards whom he acted, probably from interested motives, as a considerate and liberal creditor. He was not unversed in the study of philosophy and literature himself, nor incapable of valuing it in others; yet, his inordinate and insatiable avarice was sufficient to have obscured a far greater number of good qualities than he at any time possessed, and rendered those to which he could actually lay claim, often insufficient to shield him from the contempt and dislike of his countrymen. - It was this vice, which producing, when indulged by him, as disastrous effects as ambition in the case of other men, caused him to countenance, if he did not aid, the first designs of Catiline; to conspire afterwards, with more dangerous confederates, against the freedom of Rome; and, finally, to stain the sands of Parthia with the blood of nearly seven legions, and to

add the fasces of a Roman proconsul to the trophies of the Arsacidæ.

But rising far above both his compeers, the third and greatest member of the first triumvirate presents a character which it would require no limited skill in moral analysis to appreciate, and no ordinary power of language accurately to define. The consummate general—the accomplished writer—the ardent lover of literature and philosophy, blending—

“ The courtier's, soldier's, scholar's, eye, tongue, sword,”

to a greater extent than any one occupying a similar station in ancient or modern times—generous alike in friendship and enmity—devoid neither of the gentler affections, nor of the refinements of perfect courtesy—possessed of an eloquence, which, if he had not been a contemporary of Cicero, would have ensured him the reputation of being the first orator of his age, and of a wit, in which, if he had often allowed himself to exercise it, he would have been left without a rival—with a genius as versatile as it was various; and capable of turning from the most abstruse subject of investigation, or from the production of those models of military history, which are unfortunately the only remaining monuments of its power, to the lighter task of humorous and satiric composition, with equal readiness and success—the idol of his soldiers in the field, and no less beloved by the lower orders at home—with unbounded power of application to business, yet no unwillingness, if fitting opportunities were offered, to enter into the amusements, and sometimes the prevalent dissipation of the time, and to win those to his interest by a companionship in pleasure, whom he was unable to gain by more direct means—such, in general terms, was the fated and gifted individual who now began to attract the gaze of his countrymen, like the bright

but eccentric luminary which was chosen by his successors as his emblem, but portending, much more truly than any such fancied harbinger of coming mischief, disorder, bloodshed, and ruin to the nation over which his baleful influence was extended. More recent times may have exhibited his equal in the management of armed masses, the disposition of battles, and the rapid and skilful movements by which victories are both ensured and improved; and although we are without very specific data for judging upon the subject, we may also easily imagine that he has not been without a rival in his mastery over popular assemblies, and in bending to his own interests the wills and inclinations of men; but a character combining his military abilities with his talent as a political leader, his skill in debate, his literary attainments, his winning manners, his profound judgment, and ready address, is to be sought, if ever destined to exist, among the actors in ages yet to come. Notwithstanding the calamitous effect, moreover, of the ambition by which his better qualities were obscured, his unhesitating sacrifice of all considerations, but such as were likely to lead to his advance to despotic power,—the misery of which he was the direct inflictor in his own time, and the still greater amount of after wretchedness of which he was more remotely the agent,—he has succeeded better than any equally unprincipled conqueror and destroyer of his species, in ensuring the regard and sympathy of succeeding generations. His clemency, his generosity, and magnanimity towards those who survived his attempt upon absolute dominion and its success, have effaced, to a great extent, the recollection of the thousands who perished in the previous struggle*, and amidst the blaze of

* Montesquieu, (*Grandeur et Décadence des Romains*, chap. x.) observes, with more shrewdness than charity, on this subject:—

his splendid endowments, the horrors by which their exhibition was accompanied have been almost, if not altogether, forgotten.

It is remarkable that all the members of the first triumvirate were, in the more early part of their aspiring career, rivals for the favour of the common people. Remote from these stood the party of the senators and patricians, the Catuli, Hortensii, and other members of noble houses, rallied by the iron integrity and stoical patriotism of their leader Cato, and presenting a firm front to the innovations with which they were threatened, and the daily defections of many of their own body to the opposite cause. This was the faction to which Pompey afterwards had recourse, and which, as the former partisan of Sylla, he should never have deserted to contest the pre-eminence with his rival on ground exclusively the property of the latter; since Cæsar, besides his claim upon their affections derived from his relationship to their well remembered leader, had won the regards of the Marian, or popular faction, by boldly re-erecting, at the hazard of his own personal safety, the trophies over the Cimbri which Sylla had ordered to be thrown down, and by bringing to a severe reckoning, while prætor, the most active agents in the cruelties of the ferocious dictator. Cicero, although sounded by the emissaries of Cæsar, with a view to ascertaining the possibility of inducing him to accede to an alliance with himself and his new colleagues, studiously kept aloof from every party; either led by his vanity into a fear of compromising his own high standing in the republic,

“ Cæsar pardonna à tout le monde ; mais il ne semble que la modération que l’on montre après qu’on a tout usurpé ne mérite pas de grandes louanges.” The example is at least one which has not been very frequently followed, and it would have been quite as easy, and far more safe, to have imitated the conduct of Sylla, when possessed of the same power.

by acting in any other character than that of the principal in whatever he was engaged*, or from an insight into the pernicious tendency of all such combinations. During the consulate of Metellus and Afranius, and in the early part of the succeeding year, his letters indicate that he passed a considerable part of his time at his villas near Antium, Arpinum, Pompeii, and Formiæ, employed principally in the composition of the history of his consulship in the Greek language, and in celebrating the same event in Latin verse. After sending the formert, with his consular orations, on which he had bestowed his final corrections, to his friend Atticus, who had also, on his part, finished a work on this inexhaustible subject, for his opinion, he transmitted it to Posidonius of Rhodes, a philosopher whose answer sufficiently proves that he was a true member of the complimentary school of criticism. In one of his epistles, written from Rome, he endeavours to compose a difference which had arisen between Atticus and his

* Shakespeare, whose knowledge of mankind seems to have amounted to little less than absolute intuition, in the very limited notice he has bestowed upon Cicero, has seized at once upon this most characteristic feature in his disposition, in the scene in which the conspiracy against Cæsar is formed.

Cassius. But what of Cicero? shall we leave him out?

Casca. Let us not leave him out.

Cinna. No, by no means.

Metellus. O let us have him; for his silver hairs
Will purchase us a good opinion,
And buy men's voices to commend our deeds.
It shall be said, his judgment ruled our hands,
Our youths and wildness shall no wit appear,
But all be buried in his gravity.

Brutus.—O name him not,—let us not break with him,
For he will never follow any thing
That other men begin.

Julius Cæs.—Act 2, Scene 1.

† Ad Attic. i. 20, ii. 1.

brother Quintus*. In another, he complains bitterly of the indifference of the great body of the patricians to subjects of vital importance to the well-being of the state, and represents them, no doubt with strict regard to truth, as paying far more attention to stocking their fish-ponds†, and teaching their mullets to feed from their hands, than to their duties as statesmen. In a third, written from Antium‡, a place of retirement in which he seems to be luxuriating in his temporary freedom from public anxieties, and giving himself up to a state of listless enjoyment§, he expresses a desire

* Ad Attic. i. 17. The difference in question appears to have arisen from the refusal of Atticus to accompany Quintus Cicero, into his province of Asia, as his legate. The whole of the beautiful letter upon the subject is well worthy perusal, as one of the most finished compositions in the epistolary writings of Cicero. One passage, “vidi enim, vidi penitusque perspexi,” which breathes the very spirit of friendship, although it is impossible to do justice to the original, has been elegantly translated by Melmoth. “Amidst the various vicissitudes of my life, I have witnessed, believe me I have witnessed, your joys and anxieties for me. Often have your kind compliments upon my success added to my pleasure; often have your consolations in my trouble taken from my pain. But now, while you are absent, irreparable is my loss, not only for your excellent advice, but for those entertainments which your conversation afforded me. Need I notice to you the state of public affairs? a subject in which I can never permit myself to be remiss. Need I mention my employments in the Forum? to which I have been hitherto led in my pursuit of public honours, and which I now pursue, that I may maintain the dignity to which they have raised me. Need I mention my domestic concerns? in which I was so much at a loss, both before and after the departure of my brother, for you and your advice. In short, it is incompatible with my toil, with my rest, with my business, with my pleasure, with my affairs in the Forum, with my affairs in the family, with my public, with my private concerns, that I should be longer without your endearing counsels, your highly valued conversations.”

† Ad Attic. i. 1. The extravagance of the Roman nobility, in this respect, is sufficiently known. The *piscinæ*, or fish-ponds, were often large salt-water lakes, formed and stocked at immense expense.—See Pliny Hist. Nat. ix. lxxix—lxxxii.

‡ Ad Attic. ii. 5.

§ Ad Attic. ii. 4. Sic enim sum complexus otium, ut ab eo

to visit Egypt at some future time, and relieve himself, by an absence from his country, from the disgust occasioned by his contemplation of the existing state of public affairs. Yet he quotes the language of Hector in the *Iliad**, expressing his shame of the censure of his countrymen, and above all, that of Cato, whom he represents as his Polydamas, if he should forsake his post at so important a crisis; and asks:—"What, in such a case, would be the opinion of historians, with respect to my conduct, six hundred years hence?" In most of his epistles Clodius is assailed with an earnestness, which indicates that uncompromising enemy to have become no trifling object of dread. He mentions, also, his having projected a geographical work, which he probably never completed. With these exceptions, his correspondence, until his return to Rome in the summer of the year 694 A. U. C., possesses little attraction.

According to his previous arrangement with Pompey and Crassus, Caesar now stood for the consulship. With the support of two such aids, his success was little less than certain. He was accompanied by both to the place of election, and his return was effected without further trouble. But the senate had sufficient interest left to ensure at the same time the appointment of Marcus Calpurnius Bibulus, a patrician entirely devoted to their interests. Between magistrates so opposite in their sentiments, it was not

divelli non queam, &c. "I am grown so fond of the leisure I enjoy that I cannot without violence be separated from it. I therefore amuse myself with my books, of which I have a great number at Antium, or I count the waves, for the season is too tempestuous for fishing, and I have no inclination to write."—*Melmoth*.

* *Iliad*, vi. 442. Ἀιδέομαι Τρῶας καὶ Τρῳάδας ἐλκεσιπέπλους, &c.

How would the sons of Troy in arms renown'd,
And Troy's proud dames whose garments sweep the ground,
Attain the lustre of my former name,
Should Hector basely quit the field of fame.—*Pope*.

to be expected that there could be any long continuance of harmony ; and the Roman public were speedily called upon to witness their contentions. Cæsar entered upon his office, resolved upon making use of the ordinary methods of conciliating the populace, and speedily brought forward an Agrarian law, and a bill for a distribution of corn, as an earnest of his intentions in their favour. Cato, according to his custom, opposed it in conjunction with Bibulus, and the dispute rose to such a pitch, that Cæsar at length, by an unwarrantable exertion of power, ordered his inflexible opponent to prison. With his usual dignity, Cato arose and obeyed the mandate without remonstrance, being followed in mournful silence by great numbers of the senate. The expedient, however, which seemed likely to produce so little effect, was not carried fully into execution, since Cæsar, who * had a sufficient sense of justice left to be ashamed of his conduct, and was besides conscious that his reputation was not likely to be increased by it, ordered one of the tribunes to interfere in behalf of Cato, and to rescue him from the hands of the officers, to whose custody he had been entrusted, before he should reach the place of confinement. At a subsequent assembly of the people, the conduct of the triumvirate was equally arbitrary. On this occasion, Cæsar presenting himself openly between Pompey and Crassus, inquired of both in the presence of the multitude, whether they were disposed to think favourably of his new laws, and on being answered in the affirmative, further asked of Pompey, whether in the event of his being prevented from carrying them out, he would come to his assistance, and received for reply the assurance that he would not only hasten to his relief, but that against those who assailed him with the sword, he would interpose both sword and shield. This was no idle threat, since when the last assembly was held

to ascertain the public decision with respect to his laws, the Forum was filled by Pompey with a crowd of armed retainers, who on the appearance of Bibulus accompanied by Lucullus and Cato, loaded them with insult, and after contemptuously breaking the fasces of the unpopular consul, drove both himself and his train from the spot. The Agrarian bill, which related to the division of certain lands in Campania, was then passed without further opposition. The nobility, for the most part, dismayed and dispirited by these outward indications of a coalition which boded no good to themselves, were by the last stroke now almost entirely deterred from the feeble resistance they had lately been encouraged by Cato to maintain; being apparently deprived of all hope that the union against them would prove but transient, by the marriage of Julia, the daughter of Cæsar, to Pompey, who had some time before, with sufficient cause, divorced his former wife Mucia, the sister of Metellus Celer.

The final adoption of Clodius into the plebeian family of Publius Fonteius, after it had been long delayed, was another ill omen to the aristocracy. Cæsar, now the great agent in every public event of importance, is said to have been the principal promoter of this also, provoked by certain reflections upon the character of the times, which had fallen from Cicero in a public court of justice while speaking in favour of his former colleague Caius Antonius. This noted character conducting himself in his province of Macedonia much as he had done at Rome, was, on his return, impeached and condemned to banishment, and it was in endeavouring to mitigate the general odium against him, that Cicero made use of terms which those who reported them to Cæsar represented as intended to convey a censure upon himself*.

* Pro Domo sua, xvi.

His part was taken upon the instant, and it is said that within three hours after the obnoxious words had been uttered, all preparations were made for the adoption of Clodius, which was effected the same day, by the ceremony called "*Arrogatio* *." This consisted in summoning a general assembly of the thirty *curiæ*, into which the citizens resident in Rome were divided, and submitting to their pleasure, whether the person wishing to be transferred into another family should be allowed the privilege he desired. The auspices were at the same time carefully taken by the pontifices; and it is recorded to the no small disgrace of Pompey that, on this occasion, he assisted in making the necessary observations. A terrible adversary was thus let loose against Cicero, since Clodius, the moment he found himself free from the trammels of his patrician descent, began to exert himself with the utmost diligence to secure his return as tribune of the people at the approaching comitia, and the immediate consequences of his attaining such a position it was not difficult to conjecture, as well from his well known character, as from the threats of vengeance to which he had long accustomed himself openly to give utterance.

Whatever his real feelings of apprehension might be, Cicero pretended perfect indifference to this serious demonstration against him in a quarter from which everything was to be dreaded. Without giving himself the trouble to divert the tempest by taking an active part in public affairs, or endeavouring to enlist a party in his defence, he seems to have rested

* The form of the *Arrogatio* may be found in Aulus Gellius, *Noctes Atticæ*, v. 19. The ceremony was only used when the person to be adopted was of age, and his own master. In the case of minors, the transfer from one family to another, which was then termed "*adoptio*" or "*adoptatio*," was performed before the prætor, and was preceded by emancipation performed in the usual manner, "*per æs et libram*."

secure in the protection of Pompey, with whom he now endeavoured to unite himself still more closely, and from whom he seems to have received the strongest assurances of assistance if it should be required. He was, however, far from being idle in the Forum, as is proved by his defence of Flaccus, who was accused by Decimus Lælius of extortion in the province of Asia, in which he had acted as *proprætor*. From this oration we learn, that he had also, in the former part of the year, twice spoken in a prior cause, that of Aulus Thermus, and that his client was acquitted in consequence of his exertions and eloquence. His speech in behalf of Flaccus is remarkable for little else than the ingenuity with which he attempts to invalidate the testimony of the Asiatic Greeks by an attack upon the veracity of their race indiscriminately, and upon their own branch of it in particular. To modern readers one count in the indictment against the *proprætor*, charging him with having forbidden the exportation of gold by the Jews of his province to the temple at Jerusalem, cannot be indifferent. The orator, in his vainglorious confidence in the stability of his own nation, and his pride in the recent conquest of Pompey, takes the opportunity, when treating upon this subject of accusation, of appealing to the event of war as having determined the relative power of the Jewish and Roman religions. The whole system of the former he designates, with the usual careless contempt of his nation with respect to a matter on which they had never deigned to make inquiries, a barbarous superstition; and observes, with grave sarcasm, that the fact of its residence having been conquered and enslaved, was a sufficient proof of the degree of favour in which it was held by the immortal Gods*. Flaccus having been instrumental as *prætor* in the seizure of the Allobroges at

* *Pro Flacco*, xviii.

the Milvian bridge during the Catilinarian conspiracy, the opportunity was of course not suffered to escape by Cicero of introducing, by way of an apostrophe*, his usual description of the threatened horrors of the conflagration and massacre from which the state had been delivered by his activity. He at the same time expressed, in no ambiguous terms, his own perfect consciousness of the tempest which was about to burst upon his head in consequence of the part he had taken on that occasion †.

The indications of its approach were by this time sufficiently numerous to be obvious to an observer far less clear-sighted than himself. Bibulus having in despair abandoned the course he had at first pursued, and left, after a feeble opposition, the field entirely to his antagonists, Clodius, by the interest of Cæsar, was borne on the full tide of a faction now completely triumphant, to the office of which he had so long been ambitious, and declared, to the dread and dissatisfaction of the uninfected part of the community, tribune elect. The consular comitia were equally unfavourable to the true interests of the state, since they ended in the return of Aulus Gabinius and Lucius Calpurnius Piso, two candidates of as abandoned a character as ever aspired to the honour. Pompey, who had hitherto been little behind Cæsar in obsequiousness to the seditious partisans of Clodius and Curio, now began bitterly to repent of the false step he had taken, on finding himself, instead of meeting with the honours he had expected, led about in triumph by the faction to whom he had made so many sacrifices, and publicly exhibited as a trophy of its success. He had not even the consolation of

* O nox illa ! quæ pæne æternas huic urbi tenebras attulisti, &c.—
Pro Flacco, xli.

† At nox illa quam iste est dies consecutus, fausta huic urbi, miserum me, metuo ne funesta nobis.—Pro Flacco, xli.

securing the popularity of which he was ambitious in return for his concessions. At a public show of gladiators, of which he was himself the exhibitor, he was hissed by the whole assembly *. And at the dramatic performances of the Apollinarian games, the tragedian Diphilus was compelled, amidst an uproar of applause, to repeat over and over again every passage which could be construed as containing an insinuation against him. Cicero, on whose authority these particulars are stated, adds in a subsequent letter to Atticus:—"Our friend, once utterly unaccustomed to disgrace, encountered, wherever he moved, by eulogies, and embarked on a sea of glory, now wretched in appearance, and thoroughly broken in spirit, knows not on which side to turn—his advance is impeded by a precipice, and to retreat would be full of danger and uncertainty. The good he has rendered his enemies, and even the wicked are far from being his friends. Such is the tenderness of my disposition, that I could not refrain from tears when, on the eighth day before the calends of August, I observed him haranguing the people respecting the edicts of Bibulus. How humbled and degraded was the man who was once accustomed to appear with such circumstances of grandeur in that very place, welcomed by the enthusiastic affection of the people, and the favourable opinions of all. How little did he appear pleased with himself, not to mention the displeasure which he excited among his auditors: an unworthy spectacle, grateful perhaps to Crassus, but painful to every one else; since he who was now compelled to descend from the starry height of his ambition, instead of gently falling, appeared to have been violently hurled from the firmament. As for myself, if Apelles had beheld his Venus, or Protagenes his famous Jalysus, defiled with mud, his feel-

* Ad Attic. ii. 19.

ings could not have been more acute than mine, on seeing one upon whom I had formerly lavished the most glowing colours, and the most artful touches of my eloquence, thus suddenly disfigured *." Pompey probably owed this sudden burst of unpopularity, (which, however, notwithstanding Cicero's representation of its universality, seems to have been principally confined to the upper and middle ranks,) as well to the suspicions of the real nature of the triumvirate which now began to be prevalent, as to his opposition of the edicts of Bibulus; who, from his retirement, had issued a protest against the Agrarian law, which he asserted to have been passed under unfavourable auspices, and had ordered the consular comitia to take place later in the year than usual. The result was a partial reaction in favour of the aristocracy, but this was neither of any great extent nor of long continuance †.

Cæsar after gaining his victory over Cicero, did not, by whatever motives he might have been actuated, seem at first willing to leave him to its full consequences. By virtue of a law brought forward by the tribune Vatinius, he had been invested with the government of the two Gauls and Illyricum for five years, and entrusted with the command of four legions, as the necessary contingent for maintaining peace in his province. He now, from

* Ad Attic. ii. 21.

† It was at this time that Cæsar was also suspected of having contrived a kind of mock plot for the purpose of raising the decaying credit of the triumvirate, having for its pretended object the assassination of Pompey. The principal agent employed in it was Vettius, already known as an informer upon a large scale after the Catilinarian conspiracy. The persons endeavoured to be implicated were the younger Curio, Quintus Cæpio, Brutus, and Lentulus, son of the pontiff. (Ad Attic. ii. 24.) Vettius, however, failed in substantiating his charges, and was soon afterwards found dead in prison, having been either strangled, or poisoned, according to the popular reports, by the secret orders of Cæsar.

a feeling of generosity*, as Cicero seems to have believed, or rather, as it is far more likely, from a wish to secure himself from all future apprehensions of opposition from so gifted an antagonist, by reducing him to the station of a dependant, offered to take him as his lieutenant into his government, and, by thus withdrawing him from the city, to secure him from the resentment of Clodius. Cicero, however, thought it best to decline the offer, still resting upon the remembrance of his former services, his interest with the senate†, and, above all, the favour of Pompey. To the latter support, indeed, he seems to have clung with a pertinacity little short of infatuation, although he was not without as much ground for it, as might be comprehended in the solemn asseverations of his pretended patron. In one of his letters written about this time to Atticus, he observes:—"I am on the highest terms of friendship and affection with Pompey. —Do you really believe this? you may ask. I do, for I am thoroughly persuaded of his sincerity. Clodius continues his threats and denunciations, but Pompey affirms that there is no danger; he even swears that he will sacrifice his own life rather than allow me to sustain any injury:" and again, in another epistle‡ to the same friend:—"Clodius, at first designing an attempt upon the government, which is generally detested, after a more mature consideration of the resources and military strength at its command, has now turned all his fury upon me, threatening me with open violence, as well as a public indictment. Pompey, however, has pleaded my cause with him most strenuously, representing, as he has himself informed me, (and I have no other testimony on the subject than his own,) that he should be liable to a charge of the basest perfidy and iniquity, if he allowed any danger to overtake me, from a man whom he

* Ad Attic. ii. 19.

† Ibid.

‡ Ad Attic. ii. 20.

had himself provided with arms, by assisting him in his adoption into the plebeian order; reminding Clodius that he had received a promise both from himself and Appius not to offer me any molestation, and assuring him, that if it were broken, he would so act as to let the whole world see that he considered nothing as having a claim of longer standing upon him than his friendship with me. Clodius, according to his representation, after he had added much more upon the subject, although he at first expressed himself as one unconvinced, was at length induced to give him his hand, and declare that he would do nothing contrary to his inclinations. But for all this I do not find that he has ceased from his usual expressions of hostility, neither, had he done so, should I have given him credit for sincerity, or in any respect relaxed in my preparations for defence. Such is my present conduct, that the good will of the public, and consequently my resources for the struggle, are increasing daily. My house is thronged with visitants, and crowds of people run to meet me in the streets—the recollections of my consulate are reviving—the greatest zeal is shown in my cause; and I am so far buoyed up by my hopes, as sometimes to think that I have no reason to decline the approaching combat*.”

In his reliance for safety upon the assistance of his friends, the memory of his past services, and the justice of his quarrel, he was alike doomed to disappointment. There is but too much reason for supposing, that Pompey, so far from being willing to hazard any thing in his favour, was actually betraying him to his persevering enemy. Cæsar, offended at his refusal of the commission offered him, and determined, since he could not take him abroad in his company, not to leave him behind to counteract his designs at Rome, is believed to have strenuously

* Ad Attic. ii. 22.

urged on Clodius to the attack he was meditating; and although he was induced, by the prospect of an unpleasant inquiry into some parts of his late conduct which was on the point of being instituted, to withdraw into the suburbs, under the pretence of completing his levies and making preparations for immediately setting out for his province, he is suspected of having purposely delayed his departure from Rome, until the result of the present movements of his agent should be determined. In the mean time, Cicero, amidst his anxious preparations against Clodius, found sufficient leisure for the production of that inimitable epistle to his brother Quintus, on the extension of his government of Asia to the close of another year, by which it is difficult to say whether his claims to the first rank as a philosopher, a moralist, or a statesman, are best and most fully confirmed. Without any unnecessary flourish of rhetoric, the beauty and aptness of expression habitual to his compositions are observable in every paragraph; but the mere excellencies of language shrink into insignificance, while the reader is continually led on to a higher point of admiration, by the nobility of sentiment, the soundness of judgment, and the grandeur of principle which it uninterruptedly exhibits. No point of importance in the administration of a province is left without comment, in this brief but comprehensive manual of government, in which the just and incontrovertible proposition is fully acknowledged, that power, wherever surrendered to any individual, is given merely in trust, and as an instrument of increasing, not the means of enjoyment of one, but the happiness of all. Even the right of taxation assumed by the Roman government, instead of being claimed on the ground of conquest, is represented as based on the safeguard afforded by its protection from the capricious tyranny which formerly disgraced the

annals of Asia, and the security held out by its victorious arms from more barbarous invaders. The sophistry contained in this argument, which has been preserved to much later times, is, indeed, easily overthrown; but it must be acknowledged to be the sophistry of an age considerably advanced towards a due appreciation of the great principles of equity, and no longer daring to trifle with the considerations of right and wrong in the brutal exultation of its superiority in physical strength. The affectionate earnestness and sobriety for which the epistle is remarkable, are not among its least interesting features, nor the absence of all flattery from its honest yet friendly exhortations; since Quintus, although due praise is bestowed upon the rest of his conduct, is freely and unhesitatingly warned against that irritability, which, although accompanied with much which was excellent, seems in him to have been a frequent failing. No advice is spared in cautioning him on the subject of this important defect, and the remarks as to the best means of overcoming his hasty temperament, are distinguished by the soundest practical sense*. Quintus is finally exhorted by every

* The counsel given is as follows:—"It is not now my object suddenly to root out a fixed habit, an undertaking difficult at all times, whatever be the disposition, and, more especially, at an age like ours. This, however, is my advice, that if you cannot altogether avoid this failing, (and I know that the action of passion is sometimes too rapid upon the mind to allow of the anticipation or prevention of reason,) you will, at least, make preparations against it beforehand, and daily meditate upon the propriety and necessity of restraining it, reflecting, that at the moment when your mind is most excited, it is most important to refrain from giving utterance to your feelings; a virtue which appears to me not less than never being conscious of the emotion in question. The latter, as it is the property of a sober, is also, at times, that of a mere sluggish disposition; but to moderate both one's sentiments and their expression when angry, or, what is more, to keep absolute silence, and to hold under one's control both indignation and disappointment, although it does not reach the height of absolute wisdom, makes, at least, no mean advances towards it."—Ad Quint. i. 1.

argument likely to have weight with his own consciousness of the importance of the duties required of him, or with his regard for his reputation, to be studious in his endeavours to render the last year of his administration still more conspicuous for benefits conferred upon his province, than the two which had preceded it.—“Let it be the object, I beseech you,” concludes his correspondent, “of your most strenuous and unremitted exertions, since Asia may be considered as a vast theatre crowded with spectators of the most refined judgment, and so constructed, that whatever is spoken there, finds an immediate echo at Rome, not only to appear worthy of such a stage and such an audience, but to make both seem inferior to the display of your merits. It is my earnest prayer and exhortation, that, following the example of the best poets and performers, you will be most anxious, as the close of your office draws on, to make the third year of your administration, like the third act of a drama—the most perfect and best deserving of admiration. And this you will easily accomplish, if, in imagination, you depict me, whose single approbation I am confident you value above that of all the world besides, as constantly at your side, and taking an anxious interest in everything you do or say.”

The attention of Rome was now earnestly fixed upon the opening scenes of the tribuneship of Clodius. Without disguise, and without hesitation, this fearless innovator brought forward, in rapid succession, four acts, each involving a considerable change, and two of them alterations of great importance in the government. A gratuitous distribution of corn to the people—a prohibition of the ceremony of taking the auspices at the meeting of assemblies of the people, a custom which might almost be considered the keystone of their power to the aristocratic party*—a

* This was provided by the *Lex Ælia de Comitibus*, which, as well

limitation of the authority of the censors, by forbidding either of them to place a mark of ignominy upon any one without the concurrence of his colleague, or to inflict this punishment upon citizens who had not been formally accused before them, and condemned after a fair trial—and, lastly, the restoration of a number of corrupt guilds, or civic fraternities, which had been abolished by the senate, for the purpose of instituting others in their place, were the principal subjects embraced by these first enactments; in which, with the exception of the last, there does not appear much deserving of very serious censure, although they were no doubt intended to be introductory to the blow which was to effect the ruin of Cicero. His next movement was to propose decreeing the provinces of Syria, Babylonia, and Persia, with the power of commencing a Parthian war, which would have afforded an extensive field for peculation and plunder, to Gabinius; and Macedonia, with Achaia, Thessaly, and Boeotia, to Piso. All things being now ready for his ulterior design—the triumviri having been alienated from the object of his resentment—the senate terrified into inaction—the favour of the consuls secured by prospect of the rich provinces held out to them—and the

as the *Lex Fufia*, Clodius, either at this time, or shortly afterwards, formally repealed. The former, brought forward by the consul Quintus Ælius Pætus, A.U.C. 587, not only decreed, that the occurrence of an unfavourable omen, if reported by a magistrate, should be sufficient to stop the proceedings of the assemblies, but that the intercession, although without the assignment of a reason, of any magistrate of equal rank with the one who was presiding, or even of a tribune, should have the same effect. The *Lex Fufia*, A.U.C. 618, limited the number of days on which laws were previously allowed to be passed. Dio (xxxviii. 13.) relates that Cicero had at first resolved to oppose the acts, and for that purpose had engaged the tribune Ninius to place his veto upon them; but that he was prevented by the artifices of Clodius, who protested that he had no ulterior design against him in bringing them forward. No allusion to the circumstance, however, is to be found where it might be most expected, in the correspondence of Cicero himself.

common people devoted to their leaders by the laws proposed for their benefit, Clodius at length promulgated his famous act, that whosoever was proved to have put to death a Roman citizen without form of law, should be interdicted from fire and water, or, in other words, permanently banished from Italy.

Although Cicero might have been supposed by this time to be fully armed against an event which he had long contemplated as possible, and latterly, as exceedingly likely to happen, the appearance of the statute in question, seems to have fallen upon him like a thunderbolt. His fortitude, his philosophy, his sense of his own dignity, almost his very reason, forsook him at once. Stunned by the sense of calamity, borne down by apprehension, and, in the extremity of his distress, not knowing to whom to appeal, he was now subject to all the bitterness and anguish, which that individual may be supposed to experience, who has neither courage to defy misfortune, nor patience to endure it. In his humiliation he, however, was far from being deserted. No less than twenty thousand of the patrician and equestrian order, headed by Publius the son of Crassus, an army of suppliants who might have been changed into one of effective defenders, if they had been possessed of a resolute leader, at once assumed the garb of mourning. A vast number of these assembled in the Capitol, and resolved to send a formal deputation from thence to appeal to the senate in his favour. At a meeting of that assembly held in the temple of Concord, the whole order entreated Gabinius, with tears and vehement supplications, to interpose in his behalf, and on receiving in reply nothing but contemptuous answers and sarcastic remarks, resolved, on the motion of the tribune Ninius, and in spite of the prohibition of the consuls, at least to testify their sympathy with the subject of their useless intercession, by putting on mourning vests.

Many among the knights and middle ranks even gave indications that they were ready to arm, and resist the passing of the law by open force. But Cicero, who had been advised by Cato, and Hortensius, as well as Atticus, who had lately joined him at Rome, to submit to all extremities rather than convulse the state by a contest, mischievous under any circumstances, but rendered entirely hopeless by the presence of the legions forming under the command of Caesar in the suburbs, chose rather to continue his efforts to soften his adversaries by supplications and submissions. In accordance with this plan, he condescended, with his son-in-law, to wait upon the consul Piso, and humbly to entreat him to exert himself in his behalf with his colleague and the people; but in this application he was compelled to submit to a mortifying repulse. He was informed that Gabinius, who was in the most necessitous circumstances, from which he could only hope to extricate himself by the government of some lucrative province, having no expectation of any such appointment from the senate, was obliged to unite himself in close alliance with Clodius; and Piso further added, that, for his own part, he was obliged to yield in many respects to his partner in office, as Cicero, during his consulate, had formerly done to Antonius; that there was no need, in the present instance, of the patronage of any individual, but that every one ought to take care of himself, and must submit to stand or fall by his own merits*.

* Cicero, (In Pis. vi.) who had good reason to remember the interview, and who did not spare Piso on account of the reminiscences connected with it afterwards, has drawn a most undignified picture of the consul on this occasion, stating that he found him in one of the lowest haunts of Rome, in which he had spent the previous night in drinking, with slippers on his feet and his head muffled up. He also sneeringly relates, that Piso, as an excuse for his situation, informed him, that on account of his ill health he was obliged to

The general assembly for determining the law of Clodius respecting the arbitrary infliction of capital punishment, was at length convened in the Flaminian Circus. The tribune, according to Cicero, had artfully summoned to the spot the most zealous of the partisans of Cicero, under pretence of compelling them to give an account of their late conduct. No sooner had they appeared, however, than the banditti who surrounded him, and who had been previously instructed how to act, first saluted them with a shower of stones and then fell upon them with drawn swords, severely wounding many, and compelling the rest to a precipitate flight. Hortensius, who was among the fugitives, was nearly killed in the tumult, and Vibienus, a senator, either slain upon the spot, or carried mortally injured off the ground. After this seasonable intimation of his superior strength, Clodius opened the business of the meeting by asking the sentiments of the consuls upon the subject of his act. Gabinius answered, that he had always utterly disapproved of putting citizens to death without trial, and Piso, that he was averse to every instance of cruelty. Cesar, who by the selection of the place of meeting was privileged to be present, on being next desired to express his opinion, stated that his views on the subject of capital punishment were already sufficiently known; that he approved of the statute, if intended to possess a prospective force, but that he was unwilling to consent to any *ex post facto* law, bearing reference to an event on which it was now superfluous to legislate. On receiving this declaration, which, while it was apparently neutral, gave, in reality, no small weight to passing the edict, the centuries proceeded to their votes, and the requisition of Clodius speedily received the stamp of the popular assent. The

have recourse to wine medicinally, and bitterly inveighs against him for keeping him standing, during the conference, in the filthy den to which he had been introduced.

law, however, was as yet only general, and Cicero, if he had thought proper, might still have waited for its result in the shape of a particular indictment, after which there would have been ample time to forestall an unfavourable sentence by voluntary exile. Accordingly he seems to have hesitated for some days between hope and despair, at one time entertaining the resolution of lingering to the last, in the expectation of some change in the sentiments of the community ; at another so far prostrated by the melancholy prospect before him, as to entertain serious thoughts of self-destruction. With his usual train of mournful attendants, and with the squalid aspect and disordered dress which he imagined suitable to his situation, he continued to appear in public, endeavouring, by these outward signs of distress, to move his countrymen to compassion ; and, to add to his mortification, being frequently obliged to encounter the stones as well as the taunts of Clodius and his faction, who were parading the streets in insolent triumph. His chief reliance was still upon Pompey ; and finding that his supposed protector, who had now withdrawn to his Alban villa, pretending fear of a design upon his life of which he had received secret intimation, made no demonstration of interfering in his favour, although he had been appealed to upon the subject by the chief persons among the nobility, he resolved upon ascertaining how much he had to hope from that quarter by a personal interview. He had sufficient reason to be convinced, by the result of the conference, how little the promises made to him by his faithless patron, a few weeks before, were to be relied upon. Although he prostrated himself at the feet of Pompey, and earnestly entreated him, at this perilous juncture, to fulfil the engagements into which he had entered for his safety, he was scarcely desired to rise, and was simply met by the reply, that nothing could be done

for him contrary to the will of Cæsar*. His friends had been, in the mean time, busy in making a second appeal to the consuls, but Piso again assured them that neither he nor his son-in-law Cæsar† could venture to oppose Clodius, while Gabinius treated their intercession with his usual insolence.

All expectation of succour being now at an end ; his submission having but tended to degrade him in the eyes of others, and perhaps in his own ; and the only alternative to ensure his remaining being that of plunging Rome into confusion and bloodshed ; he at length summoned firmness enough to tear himself from a city whose aspect was connected with so many pleasing recollections, of which he had been declared the father and preserver, and where he left everything dear to one of his temperament—honour, applause, distinction,—the arena in which his eloquence had so often been exercised—the place of council, in which his opinions had been so earnestly sought and so reverently received—the crowds over whom, in the pride of genius, he had delighted to exert his influence,—his retainers, his friends, and those who were connected with him by yet dearer ties. His last public act before his departure was to ascend the Capitoline Hill, looking down upon his favourite Forum, with a small image of the tutelary Goddess of Wisdom, which he had long kept in his house with great reverence, in his arms, in order solemnly to consecrate it in the temple at the summit, with this inscription, TO MINERVA THE PROTECTRESS OF ROME. He then returned to his house, and after waiting until nightfall, left the city in company with an immense concourse of his friends, who intended to accom-

* Ad Attic. x. 4.

† Cæsar had lately married his second wife, Calpurnia, the daughter of Piso.

pany him on his road to a distance of two days' journey. Regretted by all the good, and lamented by the only party whose approbation was worth possessing; retiring, moreover, under circumstances from which the least gifted with foresight might have augured his recal at no distant period; he carried with him into exile every alleviation of such a misfortune, except that firmness of spirit which was worth the whole, and without which no form of consolation could be availing.

CHAPTER VII.

Cicero forbidden to enter Sicily by the Prætor Caius Virgilius—He receives Intelligence at Vibo of the Decrees sanctioning his Exile—His Estates are plundered, and his House at Rome rased to the ground by Clodius—Cato is sent on a Foreign Commission to Cyprus—Cicero at Tarentum—He proceeds to Brundisium and embarks for Epirus—Repairs to Thessalonica—Letters to Terentia, and to Atticus—Riots excited by Clodius at Rome—His Attack upon Quintus Cicero and the Tribunes in the Forum—Milo arms a Body of Gladiators against him—Skirmishes between the Two Parties—Decree of the Senate summoning all Freemen in the Interests of Cicero to Rome—He is recalled—Sets out from Epirus and disembarks at Brundisium, where he is met by his daughter Tullia—His Triumphant Progress through Italy, and Favourable Reception at the Capital.

SICILY, where, from the recollection of his past services, he naturally expected to find a welcome reception and a secure retreat, was the place which Cicero first selected as the scene of his banishment, and towards which, after leaving the capital, he proceeded by slow journeys. He is supposed, on conclusive evidence, to have quitted Rome towards the end of the month of March A. U. C. 696 *; and early in April to have reached Naryx, an ancient

* This is rendered almost certain by the fact, that Cæsar, who, by his own account, hindered the Helvetii from making their ap-

city of the Locrians in Magna Græcia. That the feelings of despair were yet strong upon him is manifest from his epistle to Atticus, written from this place, which affords a lamentable testimony to his weakness, and utter prostration of mind:—

“Cicero sends health to Atticus. I wish I may see the day when I shall have reason to thank you for having induced me to spare my own life. At the present moment, bitterly, my friend, do I repent of that resolution. Hasten immediately, I entreat you, to meet me at Vibo, whither, for many reasons, I have determined upon journeying. If you join me there, we may consult together upon the future steps to be taken with respect to my retreat. If you do not comply with my request, I shall find it difficult to account for your absence. But I confidently expect you will not disappoint my expectations*.”

From Naryx his next removal was towards the city mentioned in his letter, which was situated in Lucania, and near the sea-coast. In its vicinity he was entertained for a short time at the farm of Sica, according to his own account, or according to that of Plutarch, at a house assigned him by a Sicilian named Vibius†, on whom he had formerly conferred many marks of kindness. But while waiting for an opportunity of embarking for Sicily, he was met by a notice from Caius Virgilius, then prætor of the island, that he would by no means suffer him to set foot in his province. This was an instance of in-

pointed movement, which was to have commenced the 5th of the Kalends of April, (the 26th of March,) in this year; and who, after eight days' journey, reached his province time enough to appoint a meeting with their chiefs for the 13th of the ensuing month, did not quit Rome until Cicero had departed from the city.—*De Bello Gall* lib. i. ; *Fasti Hellenici*, iii. p. 185.

* *Ad Attic.* iii. 3.

† It is not impossible to reconcile the two statements. These persons might have been his hosts in succession.

gratitude which he had not expected, since Virgilius had on former occasions been laid under repeated obligations by his patronage and assistance.

He now hesitated between the projects of embarking at Brundisium for Greece, or retiring to the island of Malta ; and while meditating upon these different plans, received the news of his sentence, and its subsequent extension.

Clodius, on being informed of his departure from the city, had not lost a moment in following up the opportunity afforded by his flight, which he construed as an acknowledgment of his weakness, and that of his party, for framing, on the base of his late edict, a particular rogation or law, which he expected would permanently prevent the possibility of a return of his adversary to disquiet him at Rome. The decree proposed on this subject to the people, which he found no difficulty in carrying, seems to have been nearly as follows :—

“Whereas Marcus Tullius Cicero has, without hearing or form of trial, put to death certain Roman citizens, and for that purpose forged the decree and authority of the senate ; be it with your will and command, Quirites, that he be interdicted from the use of fire and water ; that no one presume to harbour or receive him on pain of death ; and that whosoever shall make any motion, give any vote, or assist in any way whatever towards his return, shall be considered a public enemy, unless those whom Cicero has unjustly deprived of life be previously recalled from the dead.”

This edict, however severe and arbitrary, was not sufficient to satisfy the hatred of Clodius. An additional clause extended the interdiction to all places within four hundred miles of Italy, and ordained that the goods of Cicero should be exposed to public auction. An indiscriminate spoliation of his property

was, upon this signal, immediately commenced. Clodius, after stripping it of every thing valuable, set fire to his noble house upon the Palatine Mount, and consecrated part of the site, on which he afterwards erected a temple to Liberty. The villas which Cicero had taken so much pain to embellish, and where he had collected so many exquisite works of art, were in the same manner successively plundered and set on fire. In the appropriation of the spoils derived from these sources, the two consuls appear to have come in for the lion's share. The marble columns of his Palatine house were bestowed upon the father-in-law of Piso*. The rich furniture of his country-seat at Tusculum, and even the very trees in the orchards, were carried off, by the command of Gabinius. His wife Terentia was forcibly dragged from the temple of Vesta, in which she had taken sanctuary, by order of Clodius, on pretence of examining her as to the amount of the effects of her husband†. The tribune even endeavoured to get possession of the person of her son, with an intention of putting him to death, and would have effected his purpose, had not the child been carefully concealed from the effects of his malice‡. Amidst these infamous proceedings, the consuls, now further elated by the grant of the provinces of which they were in expectation, celebrated their triumph with the most indecent revelry. The real motives by which they had been influenced, and the true party to which they belonged, began plainly to appear. Piso, thrown off his guard by the exultation of success, openly boasted of his relationship to Cethegus; and Gabinius, not to be behind his colleague, asserted, with equal affrontery, that he had always been on the most friendly terms with Catiline§.

* Pro Dom. xxiv.

† Ad Diversos, xiv. 2.

‡ Pro Dom. xxiii.

§ Pro Dom. xxiv.; Pro Sextio, xxiv.

Cato, the only man whose courage, authority, and independent spirit, seemed likely to oppose a barrier to the proceedings of these licentious anarchists, was shortly afterwards, by a refined stroke of policy on the part of Clodius, removed to a distance by a public appointment*. Ptolemy, king of Cyprus, having formerly refused to advance a sum of money for his ransom when he had been captured by the pirates near his coasts, he now eagerly availed himself of the short-lived power placed in his hands by his influence with the multitude, to avenge himself upon that monarch, and, at the same time, to remove the most stubborn of his opponents from his path, by procuring for him the office of reducing Cyprus to a Roman province. In an interview with Cato upon this subject, he endeavoured to represent himself as conferring a great favour upon him by the commission, for which he assured him he had received many applications. Cato, without being deceived as to his real object, or appearing to be so, upbraided him, with his usual severity, for his past conduct, and ended by positively refusing to accept the office proposed to him. "It is indifferent," said his audacious visitor; "if it suits not with your pleasure to go, it is perfectly suitable with mine to compel you." And immediately, having recourse to one of his popular assemblies, he procured the iniquitous decree, wresting the island from the monarch to

* Plutarch, whose accuracy with respect to dates is never greatly to be relied upon, seems to represent, in his life of Cato, that he had left Rome to fulfil his commission at Cyprus before the departure of Cicero from it. Yet it is much more likely that he continued in the city for some time after that event. "M. Cato etiam cum desperasset aliquid auctoritate sua profici posse, tamen voce ipsâ ac dolore pugnâvit, et post meum discessum iis Pisonem verbis, flens meum et reipublicæ casum, vexavit, ut illum hominem perditissimum et impudentissimum pone jam provinciæ pœniteret. See also *Fasti Hellenici*, vol. iii. p. 184.

whom it belonged, and conferring the task of settling it in its new condition upon Cato, who was obliged forthwith to sail upon his obnoxious errand.

Cicero was now pursuing his way towards Brundisium. On the 11th of April he was at Thurium, and on the 18th at Tarentum. On the 8th of that month he wrote to Atticus, dating his letter from the confines of Lucania, in a strain which showed that his sense of his misfortune was in no respect abated. A second letter, in which he explains the reason of his having quitted Vibo before his proposed interview with Atticus, is equally desponding :—"Attribute it not" he writes, "to any inconstancy of purpose, but to my present miseries, that I have suddenly departed from Vibo, where I had directed you to meet me. I have received the sentence of my utter destruction, in which I find the alterations I had been led to expect, prohibiting me from appearing within four hundred miles of Italy. Finding, therefore, that it was not allowed me to proceed to Vibo, I immediately determined upon setting out for Brundisium, in order to reach that place before the day of passing the law*, both that I might avert the destruction of my host Sica, and because the island of Malta is within the proscribed distance. Hasten to overtake me, if indeed I can find a reception where I am going. I have hitherto received nothing but kind invitations, but I shudder at the future. Great is my regret, my Pomponius, that I have not ended my existence. That I have refrained from doing so, has been chiefly owing to your influence. But of this more when we meet. Only delay not to come†."

At Brundisium, as well as on his way thither, he was treated, notwithstanding the edict against

* It will be remembered that a certain time always intervened between the promulgation and the passing of a law.

† Ad Attic. iii. 4.

receiving him with such marks of respect as might have rendered almost any one but himself proud of a misfortune in which multitudes appeared to sympathise. On his arrival at the above city, he seems to have been in considerable doubt as to his future course. Athens or its neighbourhood would, no doubt, have been selected as the most desirable place of resort; but that part of Greece was the residence of several persons who had been banished from Rome for their share in the conspiracy of Catiline, and whose vicinity naturally appeared replete with peril to the chief agent in procuring their exile. Macedonia and the adjacent districts would shortly be thronged with the soldiery of the consul Piso, who had been appointed to that province, and at their hands nothing was to be expected but insult and violence. In this perplexity, he seems at one time to have thought of retiring to Cyzicum in the Propontis; but he was probably diverted from this intention by his friend Atticus, who wrote to him with the offer of a residence in Epirus, which was so situated as, if necessary, to be convertible into a strong post of defence. Apparently still hesitating in his choice of a retreat, he took leave of his friend Marcus Lenius Placcus, in whose country-seat without the walls he had been entertained thirteen days, and after writing a piteous letter to Terentia, embarked for Dyrrachium*, on the last day of April. He was encountered, according to Plutarch, by a violent storm on his passage, which forced his vessel to put back into the harbour of Brundisium; but on putting out to sea a second time, he was successful in reaching the destined port. On the instant of his landing, if credit is to be given to the same biographer, the country was shaken by an earthquake; a convulsion of nature, which, as it was always supposed to indicate extensive changes,

* Now Durazzo.

was interpreted by the haruspices of the place as portending his speedy restoration to his country. His own mind, indeed, seems at the time to have been sufficiently inclined to superstitious impressions ; since he has recorded in his treatise on Divination a remarkable dream, which, occurring during his wanderings prior to his departure from Italy, made sufficient impression upon him to be long afterwards remembered. He imagined, we are informed, while resting on his way through Lucania, in a small village in the district of Atina, that indulging his melancholy thoughts in a wild and desolate region, he was suddenly met by Caius Marius with his fasces entwined with laurel, who, courteously accosting him, inquired the reason of his downcast looks and melancholy aspect ; and that on being informed of the cause, the visionary hero taking him by the hand, and exhorting him to be of good courage, commanded his nearest lictor to lead him into his sepulchre, where he informed him he would find a place of safety. On awaking from sleep, he states that he communicated his dream to his friend Sallustius, who, although unable to give any particular interpretation to it, did not doubt that it was one of good omen. He himself, when the senate afterwards passed their decree for his recall in the temple called the monument of Marius, was, for a moment, staggered at the coincidence, although, at a subsequent period, the good sense of the philosopher was able to refer such phenomena to their true source. The story, however little deserving attention in other respects, may not appear, as its truth can hardly be questioned, unworthy of notice to the psychologist who is collecting facts for the elucidation of any theory in explanation of what have justly been called the diseases of sleep.

Cicero received at Dyrrachium the news that his

brother Quintus was on his return from his province of Asia, and passing from Ephesus to Athens, either by a direct voyage, or through the northern parts of Greece. He had by this time made up his mind, at the invitation of his friend Cneius Plancius, quæstor of Macedonia, who hastened to assure him that he would find a safe refuge under his protection, to take up his residence for a time at Thessalonica. Towards this city he was accordingly conducted with a moderate attendance by Plancius, and reached the place of his destination on the 21st of May. Although he had appointed his brother to meet him at this place, the interview was prevented; since Quintus was at this time in great haste to make the best of his way to Rome, in consequence of rumours which had reached him, that it was intended to impeach him for alleged violence in his government; and Cicero, as the time of his expected arrival drew nigh, seems to have been unable to endure the sight of so near a relative in his present circumstances of affliction. Many of his succeeding letters to Atticus, and one to Terentia, are dated from Thessalonica, where he remained till the end of November, when we find that he again left it in order to return to Dyrrachium. What was the state of his feelings during the whole of this time may be conjectured from the following letter, which, however, is but one of several, distinguished by the same character of thought and expression.

“CICERO TO HIS BELOVED TERENCEIA.

“I have received three letters from Aristocritus, which I have almost obliterated with my tears. I am tormented with the deepest anguish, my Terentia, nor do my own sorrows affect me more than yours and those of your children. Most wretched as you deem yourself I am more so, since although our present calamities are common to both of us, the fault which has induced them is

entirely mine. It was my duty to have avoided the storm by the commission offered me, or to have withstood it by all means in my power, or to have perished nobly in the attempt. Nothing could have been more productive of misery—nothing more unworthy of my character—nothing more disgraceful than the course I have actually pursued. My sense of grief therefore is fully equalled by my feelings of shame, while I blush to think how little activity and courage I have shown in the cause of my inestimable wife and my beloved offspring. Day and night your pitiable condition, your sorrow and your ill state of health are before my eyes ; yet is there still a faint glimmering of hope afforded us. Our enemies are many—those who are jealous of us almost innumerable,—and though to expel me was a difficult task, it is an easy matter to prevent my return. But as long as you are preserved from despair I will not fail in my part, lest if every attempt should be abortive, the fault may appear to rest with me. As to your anxiety for my safety, this, believe me, is most easily ensured ; since even my enemies might wish me to live amidst my present miseries. Nevertheless, I will carefully obey all your injunctions on this head. I have written to thank those, to whom you desired me to express my acknowledgments, having entrusted the letters to Dexippus, and have mentioned you as the channel through which I have been informed of their kind offices. I am perfectly aware of those which our Piso is constantly performing towards us, and, indeed, they are the general topic of conversation. The Gods grant that I may one day again enjoy the presence of such a son-in-law, as well on your account as that of our children. My only hope now rests with the new tribunes, and with their actions at the very beginning of their office, for if they suffer the business to cool—all is over. For this reason I have sent back Aristocritus without delay, that you

may give me an account of their earliest proceedings and plan of conduct, although I have also sent Dextippus word to return immediately, and have written to my brother to request him to send off frequent expresses. It is with this view, moreover, that I am at Dyrrachium at the present moment, that I may receive intelligence of what is going forward at the earliest opportunity; nor is my safety at all perilled in my present residence, since this state has always found in me a protector. On the first intimation of the approach of enemies, I shall withdraw into Epirus.

"In reply to your offer of joining me if it should be my wish, it is my desire, considering how great a part of the weighty affairs now before us is sustained by you, that you should still continue at Rome. If you are successful it will be my part to visit you, but if not—I need add no more. From your first, or at most, your second letter, I shall be able to determine what is to be done. Only be particular in writing upon every point most fully, although I ought now rather to expect some decisive result than an account of the steps taken towards it. Be careful of your health, and believe that you are still, as you ever have been, the dearest object of my affections. Farewell, my Terentia, whom my imagination yet represents as before me. At this idea I am unnerved and overpowered by my tears. Once more, farewell." Dated from Dyrrachium, Nov. 20th*.

To Atticus, who, although he had neglected to join him in his exile, probably from the conviction that he could serve his cause much better in the capital.

* His other letters to Terentia from Thessalonica and Dyrrachium console with her on the violence exercised towards her, speak in the highest terms of acknowledgement of the conduct of his son-in-law Piso, and are chiefly taken up, besides his lamentations, with domestic affairs, and advice with respect to an estate belonging to herself, which Terentia had entertained an intention of selling.

that in Macedonia had generously advanced him a considerable sum of money, accompanying the loan with a remonstrance on the singular weakness he had shown under his misfortunes, he writes in a letter of an earlier date:—"As to the frequent and severe reproofs in which you indulge with respect to what you term my infirmity of mind, is there, let me ask you, a single evil, however great, which is not comprehended in my calamity? Did ever man fall from so honoured a condition, in so good a cause, endued with such resources of genius, of prudence, of popular favour, and protected ostensibly by such firm safeguards extended towards him by all the good? ~~But~~ I forget what I have been—or cease to feel what I am?—of what estimation—of what glory—of what children—of what favours of fortune—of what a brother I am deprived? The latter, (and mark, I request you, a new shape of misery,) although still esteeming him, as I have always done, more dear to me than my own existence, I have shunned and purposely avoided meeting, both to spare myself the pain of beholding his grief and wretchedness, and of being exposed as a spectacle of ruin and debasement to one who had left me at the height of prosperity and glory. Am I then, let me inquire, to be blamed for being thus keenly susceptible of my distresses? should I not rather be deemed as culpable for retaining the advantages I have enumerated, (which I might easily have done, had there not been those within my own walls who were conspiring my destruction,) as for still surviving what I have lost? Thus much I have written that you may rather console me in future, according to your wonted kindness, than deem me worthy of upbraiding or reproof. I am the more brief, both because I am prevented by my sorrow from adding more, and because I expect news from Rome of more importance than anything

I have to communicate. As soon as this arrives, it will give you more certain intelligence respecting my designs. Continue to write, as fully as possible, that I may be ignorant of nothing*. Dated at Thessalonica the 18th of June.

While Cicero continued to indulge his unmanly grief in Macædonia, his friends at Rome were exerting themselves not only with ready voices, but with courageous hearts and prompt hands, for his recall. The insolence and arrogance of Clodius, daily rising to a higher pitch, soon became insufferable to all but the desperate band acting immediately under his command. Pompey, already disgusted at his presumption, was soon warned to stand upon his own defence by a direct attack on the part of his late ally. Tigranes, son of the Armenian king, whom he had brought to Rome to adorn his triumph, and who

* The weakness of Cicero during his exile, seems to have confounded most of the writers who have mentioned the subject. Dio Cassius, in particular, is so scandalised at it, that he has gone out of his way to introduce in the middle of his grave narrative an imaginary dialogue between the orator and Philiscus, an Athenian philosopher, extending over several pages, in which the sententious idolon reads a lecture upon fortitude, &c. &c. worthy of Epictetus himself. Lord B. Ingbrooke, whose egregious and overweening conceit was, no doubt, highly delighted with an opportunity of contrasting his own conduct, under similar circumstances, with that of one whom he resembled in little else than in vanity, has, in his sickly dilution of Seneca (Letters on Exile) dwelt largely, and with no small pomp, upon the subject, after the following fashion. "When virtue has steered the mind on every side, we are invulnerable on every side; but Achilles was wounded in the heel: the least part overlooked or neglected may expose us to receive a mortal blow. Reason cannot obtain the absolute dominion over our souls by one victory. Vice has many reserves which must be beaten, many strongholds which must be forced, and we may be found of proof in many trials, without being so in all. We may resist the severest, and yield to the weakest attacks of fortune. We may have got the better of avarice, the most epidemical disease of the mind, and yet be slaves to ambition. We may have purged our souls of the fear of death, and yet some other fear may venture to lurk behind. This was the case of Cicero." There is much more to the same effect.

was yet detained in a kind of honourable custody in the house of the prætor Flavius, in the expectation that a large ransom would be offered for his release, was seized by the emissaries of Clodius, and brought into the presence of the tribune, who, without deigning to consult with Pompey upon the subject, took upon himself to offer him his liberty on his promise to advance a stipulated sum*. The agreement was quickly concluded, and Tigranes, with equal haste, despatched with an armed escort from the city. Flavius, on gaining information of the manner in which his prisoner had been disposed of, lost no time in attempting his recovery, and having summoned a number of his retainers and several of the faction known to be opposed to Clodius, set off in eager pursuit. About four miles from Rome he overtook the party of whom he was in search, and having peremptorily summoned them to surrender Tigranes into his hands, received a direct refusal. Swords were immediately unsheathed on both sides, and a fierce encounter ensued, in which many lives were lost. But the followers of Flavius were at length completely routed, and forced to fly in all directions, leaving the spot covered with their dead; among whom was Marcus Papirius, a wealthy Roman knight, and an intimate friend of Pompey. Flavius himself re-entered the city without a single attendant, and closely followed by the victors to the very gates.

Pompey, deeply mortified by this instance of contempt shown towards him, which, however, he does not seem to have dared openly to resent at the time, is said to have formed a resolution at once of making every effort to reverse the banishment of Cicero, and his determination on that head was, no doubt, subsequently quickened by the discovery,

* Dio Cassius, xxxviii.

whether real or pretended, of a plot against his life, in which a slave of Clodius was represented as having been the principal agent. In the senate a similar disposition had been shown on many occasions. The business of the state was frequently interrupted by loud clamours on the part of Cicero's friends, demanding a reconsideration of the sentence against him, and as early as the first day of the June following his departure, a decree had passed the whole house for laying the question of his recall before the people. This, when brought forward by the tribune Lucius Mummius, was prevented from receiving the popular assent by the prohibition of his colleague Ælius Ligus. Fresh attempts, however, were continually made to obviate the effect of this interference. On the 29th of October, eight tribunes out of the ten promulgated a law for the return of Cicero, which was seconded by Publius Lentulus, the consul elect, and the creation of officers for the ensuing year was such as to hold out the highest prospects in his favour; since among the new tribunes were Annius Milo and Publius Sextius, two of his most devoted friends, and the rest, almost without exception, were known to entertain the best dispositions towards him. The city was soon after freed from the presence of the consuls Gabinius and Piso, who departed for their respective provinces, and, in some measure, from the pernicious influence of Clodius by the expiration of his tribunitial office, which closed on the 10th of December. During almost the whole of this year Rome had been in a state of tumult. The operations of the patrician party had been ably conducted by Quintus Cicero, who on his approach to the city, was met by a crowd entreating him, with tears and lamentations, to take upon himself the guidance of their movements. Pompey, on the other hand, in consequence of the middle course he had latterly

deemed it advisable to pursue, had been almost reduced to insignificance in the struggle. He was several times grossly insulted by the mob *, and once closely blockaded in his own house by a detachment of the Clodian faction, who were not dispersed without considerable violence. In the affray which took place on this occasion, the consuls chose different sides, Gabinius taking upon himself the command of those who assembled for the relief of Pompey, and Piso aiding and abetting the rioters to the utmost of his power. Although the contest was fortunately bloodless, the two parties seem to have fought with hearty good-will, Piso, especially, maintaining his ground with obstinate valour, until his fasces were all broken, and the overwhelming numbers of his opponents rendered further resistance useless.

At the very commencement of the consulate of Cornelius Lentulus Spinther, and Quintus Metellus Nepos†, and immediately after the performance of the customary rites in the Capitol, the former of these magistrates declared in full senate, that he would enter upon no other question before that connected with the repeal of the law against Cicero had been disposed of. Lucius Cotta, the principal of the senatorian order, proposed its instant abrogation, as passed in a manner contrary to all existing forms and customs; but Pompey was still of opinion that the judgment of the commons should be added to that of

* Plutarch states that, among other insults, Clodius, after Pompey had resisted his prosecution of some of his intimate friends, ascended an eminence within view of the latter, accompanied by a number of his profligate associates, and put the following questions in succession:—Who is the licentious lord of Rome? Who is it that is unworthy of the name of a man? Who is it that scratches his head with one finger (a mark of refined coxcombry)? “Upon this,” he continues, “his creatures, like a chorus instructed in their parts, upon his shaking his gown, answered aloud to every question—Pompey.”

† A.U.C. 697.

the nobility. The necessary act would have been brought forward on the same day, but for the interference of the tribune Atilius, who requested the delay of a few hours to deliberate upon the subject. His authority, however, on mature consideration, was not interposed, and, after the usual interval, the bill was finally subjected to the decision of the people on the 25th day of January.

But if Clodius and his party had by this time discovered that their cause was fast declining in the estimation of the public, they were not the less determined not to relinquish the field to their adversaries without a last and desperate effort. They were still strong in numbers, in union, and in resolution, and having every reason to dread the effects of the bill under consideration, they were resolved to leave no means, however lawless, untried for its prevention. As the important day approached, Clodius hired a formidable band of gladiators, under pretence of employing them in the shows of his aedileship, an honour for which he was at the time a candidate, and borrowed from his brother Appius a second company, which was on the point of being exhibited at the funeral rites of one of his near relations. These manifest preparations for violence gave, as might have been expected, an immediate alarm to his opponents, who began to assume arms in their turn. On the evening preceding the meeting of the people, matters wore an increasingly angry aspect, and it was evident that another of those internal convulsions, of which the records of the city afforded but too many instances, was at hand. Before day-break on the following morning, the tribune Fabricius, who had warmly espoused the cause of Cicero, took possession of the rostra with a strong guard. Clodius, however, as much on the alert as himself, had previously posted his gladiators in all the avenues

leading to the Forum, and thus having precluded, as he imagined, the possibility of the arrival of fresh succours to the assistance of the enemy, fell furiously upon the guards of Fabricius with his well-trained swordsmen, and, after a determined resistance, compelled those who survived the murderous encounter to fly. A second party, on coming up under the command of the tribunes Cispinus and Sextius, was attacked in a similar manner, and speedily routed; Sextius himself being so severely wounded, after he had retreated into the temple of Castor, which was stormed by the Clodian party, that he was left for dead. At the same time the victorious gladiators sought on all sides, with reeking weapons, for Quintus Cicero, who had presented himself at the rostra in company with Fabricius, and the object of their pursuit was only able to escape their fury by flying into the Comitium, where, as they approached, he concealed himself beneath a heap of dead bodies, and in the glimmering light by which the forms of the slain were rendered but indistinctly visible, fortunately escaped detection.* The supposed death of Sextius, a tribune of the people, and, consequently, one whom it was sacrilege to injure, struck the victors with a momentary consternation. Clodius, however, fertile in expedients, resolved upon making the odium equal on both sides, by murdering in cold blood one of his own tribunes, in order to charge the opposite faction with his death. The person selected for the victim was Numerius Quinctius, an individual of obscure birth and little influence, who, to please the multitude, had assumed the surname of Gracchus, and the gladiators were, consequently, desired to seek him out and despatch him. But Quinctius, who was far from being destitute of quickness and cunning, on gaining some hint of the manner in which

* PRO SEXTIO, XLXVI.

his services were likely to be rewarded by his friends, lost no time in adopting the readiest means at hand of preserving his life, and hastily muffling himself in a long travelling-cloak, and placing a basket, snatched from a countryman, upon his head, he passed in this disguise through the midst of his intended assassins, who, on all sides, were loudly calling his name*. Sextius was, however, by this time discovered to be still alive, and, as if the circumstance had conferred upon them full licence for renewing every kind of outrage with impunity, the rioters immediately began their work of violence afresh. Among other daring actions, Clodius set fire with his own hands to the temple of the Nymphs, involving in the conflagration of the building a number of public records. He then proceeded to attack the houses of Annius Milo, and of the prætor Cæcilius; but here his mad career was for the present stopped. The garrisons within defended themselves with such resolution, that the assailants were at length compelled to draw off in confusion, and in a sally made upon them while retiring, several of the gladiators were taken prisoners.

Day closed upon this disgraceful spectacle of tumult, singular for the indifference, on the part of the public authorities, with which it was allowed to be maintained; and still more so, for the impunity afterwards enjoyed by those who had been actively engaged in it. The slaughter was fully in proportion to the bitterness of feeling with which the parties had met. The Tiber, if Cicero's assertion is not a rhetorical exaggeration, and even the common sewers, were filled with the bodies of the slain, and in the Forum the blood was wiped up with sponges. "Never," says the orator, "were such heaps of corpses piled in our streets, since the memorable day of the contest between Octa-

* *Pro Sextio*, xxxviii.

vius and Cinna*. Yet, all efforts to bring to justice those who had thus disturbed the public peace were unavailing, and Clodius was still suffered to parade the streets with his gladiators, unresisted. Milo, indeed, had the boldness to impeach him for the attack upon his house, but the consul Metellus, the prætor Appius, and the tribune Atilius, forbade, by their edicts, either plaintiff or defendant to appear in the cause. Atilius even set at liberty the gladiators whom Milo had taken and committed to the public prison, while the canvass of Clodius for the ædileship still went on, and was in no way injured by his late excesses. Such a state of things, while there was yet a senate, and a general who had enjoyed three triumphs, in Rome, may appear almost inconceivable; yet, recent history can furnish an instance still more astounding, of a mighty city giving up, day by day, to an insignificant body of men, whom a tithe of its population would be more than sufficient to annihilate without a struggle, the lives and fortunes of its inhabitants, to be disposed of without restraint or limitation. The tyranny of Clodius might, and in all probability would, have proceeded to still more extravagant lengths, had there not been a man opposed to him, gifted with courage equal to his own, and ready to encounter him, since the laws were silent, with his own weapons.

There happened to be at this time a troop of gladiators on sale, together with a body of those slaves termed *bestiarii*, who were trained to the perilous art of encountering wild beasts in the amphitheatre. These were secretly purchased by Milo, who commissioned a friend to appear for him in the transaction, lest he should be anticipated or outbidden by any of the agents of his rival. Having thus procured

* *Credem vero tantam, tantos acervos corporum extractos, nisi forte illo Cinnano atque Octaviano die, quis unquam in foro vidit?—Pro Sextio, xxxvi.*

a force as skilful in the use of their weapons as the band under Clodius, and added to it the survivors of a late gladiatorial show, presented by the ædiles Pomponius and Cosconius, he lost no time, after he had armed them to the teeth, in producing them at every fitting opportunity, in opposition to the followers of the *ex-tribune*. A succession of obstinate, and by no means bloodless skirmishes, was now constantly exhibited in all parts of the city. The Forum constantly resounded with the clashing swords of the combatants, and the shrieks of the terrified crowds endeavouring to escape from the scene of commotion; while those who had an opportunity of beholding it at a safe distance looked on, and enjoyed a sight so much resembling that which they had been accustomed to contemplate at their public games; where rivers of blood continually flowing for their amusement, had long made them indifferent to the exhibition of any kind of violent death, in which they were not themselves likely to act the part of victims. Several weeks passed away after the first tumult, by which the law in favour of Cicero had been prevented from passing, disgraced by almost daily conflicts between the two factions; but the popularity of Clodius continued progressively to decline, until he was so much an object of the general dislike, that, when he presented himself in the amphitheatre, the hiss with which he was received, was loud enough to startle the horses of the gladiators in the arena, and the expressions of disapprobation so frequent and bitter, that he was at last obliged to reach his seat by a secret passage beneath the benches, which, from that circumstance, was wittily called the "*Appian way**."

At length appeared the conclusive decree of the

* *Pro Sextio*, lix.—This circumstance, however, is mentioned as occurring after the passing of the decree of the senate, in the Monument of Marius, by which the return of Cicero was ultimately determined.

senate, commanding those who wished well to the interests of the state, throughout the whole of Italy, to repair to the capital, and lend their assistance towards carrying the act for the return of Cicero. It had been preceded by two edicts of less consequence upon the same subject,—the one returning thanks to the cities which had afforded him a refuge in his exile,—the other enjoining the Roman officers in the provinces through which he might pass, to take every precaution for ensuring his safety. No sooner was the decree issued, than the roads leading to the city were thronged with multitudes, eager to testify their cheerful obedience to the mandate. Every state contributed to swell the tide of voters, which, for many successive days, continued to pour in at the several gates of Rome from different quarters, and the senate had soon at their disposal a majority sufficient to overwhelm every appearance of opposition. At a meeting of that assembly, held in the temple erected to Honour and Virtue by Caius Marius, where four hundred and seventeen members, besides the magistrates, were present, it was determined, at all hazards, to repeal the law of Clodius. This resolution was taken, while the people were engaged in witnessing the games exhibited by Lentulus in the neighbouring theatre, to which the senators repaired as soon as the business of the day was finished. On their entrance, they were received by the audience, who were speedily made acquainted with the issue of their deliberations, with loud and continued bursts of applause; and when the consul appeared in his place, the assembly, rising in a body and stretching their hands towards him, returned him thanks for the part he had taken and so strenuously maintained. During the remainder of the performance, the subject of which happened to be the Telamon of Accius, repeated shouts were uttered

whenever the tragedian Æsopus, who performed the principal part in the piece, (that of the banished prince,) uttered a sentence which might be considered as bearing any reference to Cicero. Such passages*, from the very subject of the drama, were necessarily of frequent occurrence, and the actor made considerable additions to them, by introducing in several instances slight alterations of his own, with a view to falling in as much as possible with the present state of the popular feeling. At an after representation of the Brutus of the same dramatist, while passing a eulogy upon the great patriot as the preserver of his country, he ventured to substitute the name of Tullius for that of Brutus, and received in recompense the unbounded applause of the multitude.

On the day following this manifestation of the public opinion, the senate again met in the temple dedicated to Jupiter Optimus Maximus, on the Capitoline hill, and after speeches highly honourable to Cicero had been delivered by the consul Lentulus†, Pompey, Publius Servilius, and Lucius Gellius, it was determined, in compliance with the wish both of the citizens resident in Rome, and of those who had lately arrived from the municipal towns, that no further delay should take place in laying the proposed bill before the people; that the ceremony

* Several of these are given in the oration for Sextius, lvi. lvii.

† The other consul, Quintus Cæcilius Metellus Nepos, who, when tribune of the people, had been violently opposed to Cicero, had in the previous assembly, in consequence of an energetic appeal made to him by Publius Servilius, who adjured him by his illustrious ancestry to lay aside his enmity at this important crisis, expressed himself not unfavourably inclined towards the abrogation of the law of Clodius. This called forth the letter of acknowledgment, (*Ad Diversos*, v. 4.) in which Cicero terms his speech “*mitissima oratio*,” and requests his future kind offices. It was to this, also, that Metellus was indebted for his title of “*vir egregius et vere Metellus*.”—*Pro Sextio*, lxii.

of taking the auspices should be dispensed with upon the occasion, and that unless the question was satisfactorily settled in five days, Cicero should be considered restored to all his former dignities. Thanks were at the same time voted to those citizens who had come from a distance to second the authority and wishes of the Senate.

Clodius alone, with undaunted resolution, continued his opposition. His mock assemblies were still convened, and his gladiators undisbanded. In the senate, although he was the only person who ventured to utter a dissentient voice, he, notwithstanding, remonstrated loudly against the present proceedings, and when the people finally met on the 4th of August to give their sanction to the law in the Campus Martius, made a public oration against it. But his interposition was wholly ineffectual. The assembly, one of the most imposing ever witnessed at Rome, consisting of an immense multitude of all ranks and ages, and in fact comprising almost every person* in the city who had a vote to bestow, was successively addressed by Pompey and other orators of the highest rank and influence in favour of the decree; and when the question was subjected to the decision of the ballot, it was found that not a single century was excepted from the general opinion in its favour.

Cicero had continued for several months at Dyrrachium, awaiting the final issue of the movements in his behalf with feverish impatience. His letters written to Atticus from that city represent him as continuing to fluctuate between hope and despair; elated by the slightest event which seemed to promise his recall, and sunk into the deepest dejection at every new delay†. On receiving informa-

* Post Red. in Sen. xi.

† Ad Attic. iii. 22, 23, 24, 25, 26, 27.

tion, however, from his brother Quintus of the final decree of the senate in his behalf, he was resolved upon not waiting for its confirmation by the people, deeming it a less evil, as he has stated, to risk his life, than to be wanting to this opportunity of revisiting his country. Actuated by this determination, he embarked at Dyrrachium almost at the very hour in which the edict promulgated for his return received the sanction of the centuries; and after a quick and prosperous passage, arrived on the day following (August 5) off Brundisium, where he immediately landed. This day he triumphantly records as being the anniversary of the foundation of the city which had now received him, and of the dedication of the temple of Safety at Rome, as well as the birth-day of his daughter Tullia, who presented herself to him on his landing. Every thing, indeed, seems to have been viewed by him through the exultation naturally indulged at the moment; yet the apothegm so often expressed by the ancient poets—that from the brightest source of human felicity, there rises that which must always give a taste of bitterness to the spring,—was not without its illustration on the occasion; since the mourning weeds of his daughter, who had but a short time before been deprived of her husband Piso, must certainly have reminded the orator of the absence of the familiar face of one, who would have been the foremost in hailing his return, and whose unremitting exertions in his cause, while absent from his country, he could now never hope to repay*. With this exception, not a cloud appears to have overcast the inspiring prospect spread before him, in the enjoyment of which he appears to have indulged with all the abandonment to its delusions, of which his ardent and sensitive

* *Piso ille gener meus cui fructum pietatis suæ neque ex me neque a populo Romano ferre licuit.*—*Pro Sextio xxxi.*

temperament was capable. On the third day from his landing, he was acquainted by Quintus of the result of the late comitia, and soon after leaving the house of his friend Lenius Flaccus, of whose hospitality he had partaken with feelings widely different from those with which he had sought a shelter under his roof on a former occasion, he set out on his return to Rome,—the highest honours which the magistrates of Brundisium could invent having been lavished upon him previously to his departure. From this point his progress resembled a continued pageant. As he pursued his journey leisurely along the Appian way, halting for a short time at Naples, Capua, Sinuessa, Minturnæ, Formiæ, Terracina, and lastly at Aricia*, every town and village near the line of his route seemed emptied of its inhabitants, so dense and numerous were the multitudes who hastened from every side to greet him. “I was borne,” he afterwards observed, “to Rome on the shoulders of Italy†;” and the figure was probably no exaggeration. Wherever he approached, the way was lined with spectators of all ages and sexes. A total cessation from business took place in the different cities, and public embassies were sent from many to compliment him on his restoration to his country. Festive entertainments, thanksgivings to the gods, rejoicings and congratulations, were the constant results of his appearance. As he drew near to Rome, on the 4th day of September, still higher honours awaited him. At some distance

* The first stage from Rome.—Hor. Sat. i. 5.—

“Egressum magnâ me excepit Aricia Româ,” &c.

† It is now called La Riccia. Respecting the Appian road at this place, Eustace observes: “The immense foundations of the Via Appia, formed of vast blocks of stone, rising from the old town up the side of the hill, in general about twenty-four feet in breadth, and sometimes about sixty feet in elevation, are perhaps one of the most striking monuments that remain of Roman enterprise and workmanship.”

† Post reditum in Sen. xv.

from the walls, he was met by the whole body of the senate, with the magistrates at their head, and escorted by them into the city, which he entered at the Capene gate*. Here a sight of the most imposing kind presented itself. The steps of the two neighbouring temples, those of Mars and the Muses, and the whole length of the street as far as the eye could reach, as well as the porticoes and house-tops, presented one dense mass of human beings, who rent the air with their shouts at the first glimpse of the procession by which he was accompanied. The same spectacle was exhibited along the whole way to the Capitol; every house and building, the whole area of the Forum, and the temples by which it was surrounded, being crowded to excess, and resounding with the enthusiastic acclamations of their occupants. Amidst this delirium of public excitement, Cicero ascended the steps which led to the temple of Jupiter Optimus Maximus, the path of triumph trodden by a hundred conquerors, but now pursued by one who was enjoying a victory which was far more glorious, although bloodless and uncelebrated by the dazzling insignia of military parade, than any of which it had hitherto been the place of commemoration,—the victory of genius and patriotism over prejudice, ingratitude, and factious violence. After performing his devotions in the shrines at its summit, and especially before that of the Goddess to whom he had commended himself at his departure from Rome, he retired to the house appointed for his residence, accompanied to its threshold by the same illustrious train, and again saluted on his way thither by the unabated applause of his fellow citizens.

* Ad Attic. iv. 1.

CHAPTER VIII.

Oration of Cicero in the Senate after his Return—Tumults raised by Clodius—Oration “*Pro Domo sua*”—Attack of Clodius upon the Houses of Cicero and Milo—Clodius elected *Ædile*—Speech of Cicero “*De Rege Alexandrino*”—Milo impeached by Clodius for illegal Violence—Cicero defends Publius Sextius—Interrogation against Vatinius—Oration “*De Haruspicum Responsionibus*”—Cicero tears down the Tablets in the Capitol, containing the Decree relating to his Banishment—Oration respecting the Consular Provinces—Marriage of Tullia and Crassipes—Speeches for Balbus and Calpurnius—Letter of Cicero to Lucius Lucceius—Second Consulate of Pompey and Crassus—Oration of Cicero against Piso—His Letter to Marius respecting the Dedication of the Pompeian Theatre—Cicero writes his Treatise “*De Oratore*”—Departure of Crassus for his Parthian Expedition.

ON the day after his return to Rome, Cicero took his seat in the senate, which was crowded to excess by a numerous assembly, eagerly anticipating a renewal of the enjoyment they had so often experienced from the exhibition of his extraordinary powers of eloquence. In his opening speech, which was necessarily to a great degree complimentary, there could have been little to disappoint his audience, if there was nothing in it to exceed their expectations*. The consuls, prætors, and tribunes of the people, who had been instrumental in his recall, are severally thanked by name, and the other members of the house collectively; the usual incense is offered to Pompey, who is declared in valour, glory, and the performance of great exploits, far above all who had preceded him of whatever age or nation, while Lentulus is lauded literally to the heavens, since the orator, setting no

* A subsequent speech was afterwards delivered to the people, at an assembly convoked by the consuls. This is the “*Oratio Secunda post Reditum*,” which in some editions has been placed before that to the senate.

bounds to his gratitude, terms him his parent and the guardian deity of his being, fortunes, present reputation, and future fame. But while he is thus careful to manifest his sense of the kind offices of his friends, he is by no means forgetful, on the other hand, of those to whose exertions he had owed his exile and the spoliation of his property. Gabinus and Piso are especially selected as the objects of his sarcastic invectives; and although the censure hurled against them is only preparatory to fiercer declamations upon the same subject, it is such as to leave little to be desired on the score of bitterness. The prudence of this kind of oratory might fairly be questioned, but Cicero was well aware that he had not returned home to lay aside his armour, or to take his share in the management of a republic in the enjoyment of the blessings of internal peace. If, indeed, he had indulged in any respect in this delusive hope, it would speedily have been dispelled by the conduct of Clodius immediately after his return. The senate, who had been for some months hindered, by the successive commotions on a question which had long engrossed the attention and interest of all ranks, from attending to any other business of importance, were now assailed by the murmurs of the people on the subject of a prevailing scarcity of corn, which had been, in a great measure, caused by the universal rush to the capital, in consequence of the late edict.* Clodius, equally ready to create or to foster any feeling of dissatisfaction, presuming upon the ill-feeling which began to be expressed, having sent a number of his emissaries to endeavour to fan the popular discontent into a flame, armed his gladiators anew, and placed them under the guidance of Marcus Lollius and Marcus Sergius, two of the most desperate of his associates, with orders to beset the senate in the temple of Concord. On their

* Ad Attic. iv. 1.

way meeting with the consul Metellus and his train, these ruffians, without hesitation, assaulted him with a shower of stones*, by which Metellus himself was wounded, and his attendants compelled to fly from the spot. Encouraged by the impunity with which this attack was suffered to pass, they proceeded, on learning that the meeting of the senate had been adjourned to the Capitol for its better security, to invest that place of assembly as well. The people of Rome, however, who were at length convinced that their interests would be ill served by these outrages, displayed on this occasion a proper regard for the continuance of the peace of the city, and mustering in vast crowds attacked the band of Clodius with such spirit as speedily to compel them to raise the siege. Cicero, on hearing of the tumult, lost no time in endeavouring to pacify it. The multitudes who surrounded the senate-house were already loudly calling for him by name, but when he appeared and proposed as a remedy for the present distress, that Pompey should for five years be invested with authority to make regulations respecting the supply of provisions, the expressions of approbation were unbounded. The very name of this hitherto fortunate leader seemed to be a sufficient security for the prosperous management of any undertaking in which he was concerned. The resolution thus proposed was soon after, notwithstanding the opposition of several of the senators, converted into a law. Fifteen deputies were appointed at the same time, at the request of Pompey, to assist him in carrying it into effect. Among these Cicero was the first chosen†, but he appears to have only

* Missiles of this kind seem to have been ordinarily resorted to by the Roman crowds. Cicero, at least, in his speech for Sextius, speaks of "lapidationes" in a manner which implies that they were of no unfrequent occurrence. "Atqui vis in foro versata est? certe; quando enim major? lapidationes sæpe vidimus; non ita sæpe, sed minium sæpe gladios."—*Pro Sextio*, xxxvi. † *Ad Attic.* iv. 1.

provisionally accepted the commission, which he subsequently resigned in favour of his brother Quintus.

His attention was at the time sufficiently occupied by his efforts to obtain some compensation for the property of which he had been despoiled, and more especially to procure the restitution of the site on which his Palatine house had formerly stood. As this spot, however, had been solemnly dedicated to the service of religion, and was actually occupied by the temple which Clodius had caused to be erected upon it, the question of its re-assignment to its original owner was viewed as one of no small importance and of considerable delicacy. The subject was first brought before the senate, who referred it to the pontifical college to determine whether the consecration had been made in due form ; ordaining that if the answer of the priests should authorise the proceeding, the consuls should be ordered, after making an estimate of the expense, to replace the building which had been destroyed at the public cost. Before the assembled pontifices, therefore, on the last day of September*, Cicero delivered the eloquent address, in consequence of which the ceremony performed by Clodius was declared to be invalid. The oration was devoted, for the most part, to prove the illegality of the adoption of the late tribune into the plebeian order, and, by a necessary consequence, the nullity of every public act he had performed during his year of office. The sentence of banishment passed upon himself naturally fell under the consideration of the orator at the same time, and was easily shown to have been deficient on all points. The conduct of Clodius and his faction came in for its usual share of irony and invective. Of the merits of this speech, however obvious, the student of the writings of Cicero will

* *Diximus apud Pontifices pridie Cal. Octobres.—Ad Attic. iv. 2.*

† *Pro Domo sua.*

perhaps not be inclined to form so high an opinion as its author, who seems to have considered it almost the best of his productions; and this, unless another instance of the want of power so common in genius of forming a right estimate of its own productions, may be considered a plausible argument against the authenticity of the disputed oration extant under the title "*Pro Domo sua*." Yet the trenchant power of its wit, and the nervous energy of many of its passages, must at all times command admiration, and the peroration, as in most of the speeches of Cicero, is a striking specimen of majestic eloquence. The pontifices, convinced by its arguments, or overpowered by its rhetoric, were easily induced to decree that the consuls might proceed to rebuild the house of the orator without any religious scruples, and the sum of two millions of sesterces* was, after some delays in the senate, in consequence of the clamours of Clodius and the interposition of Atilius Serranus, at length voted for the purpose. The loss sustained by the injuries done to the villas at Tusculum and Formiæ, for which compensation was also to be made at the public expense, was estimated at the respective sums of five hundred thousand sesterces† for the former, and two hundred and fifty thousand for the latter place; a remuneration which Cicero seems to have considered as very far from satisfactory, and much below the real value of the property destroyed‡.

The demolition of his house upon the Palatine hill, was not the only mischief which Clodius had, with perfect impunity, effected in the same quarter. The noble portico of Catulus, built from the spoils of the Cimbric war, had been also unceremoniously levelled with the ground, that it might not present, by the difference of the style of its architecture, a contrast unfavourable to the new temple of Liberty erected in

* 16,000*l*.

† 4000*l*.

‡ *Ad Attic.* iv. 2.

its neighbourhood. This was also to be replaced at the cost of the people. But, while the workmen were employed in its re-erection, as well as upon the other new buildings close beside it, which were already raised to the roof, Clodius, who had been for some time busying himself in endeavouring to excite the populace to a fresh disturbance, made his appearance, on the 3d of November, with an armed band, and, by his desperate attack, speedily compelled the busy multitude before him to desist from their labour. The unfinished walls, thus abandoned, were soon reduced to a heap of ruins, but not contented with their destruction, Clodius next turned his attention to the neighbouring house of Quintus Cicero; which was first battered by the stones of his followers, and soon afterwards fired by the lighted brands showered without intermission upon it. A few days afterwards, Cicero himself was met in the Via Sacra by the same furious company who had perpetrated this outrage, and, without a moment's hesitation, assailed by their missiles, and threatened, by the swords and bludgeons with which they were armed, in so serious a manner, that he was obliged to take refuge, in order to save his life,* in the neighbouring court-yard of Tertius Damio. On the 12th day of November the rioters again made their appearance, and commenced a regular assault with sword and buckler, upon the residence of Milo, situated on Mount Germalus, which they continued to invest the whole of the day, making repeated efforts to carry it by storm, or to set it on fire by means of the burning torches hurled against it. On this occasion Clodius himself having taken his post in the house of Publius Sylla, into which he had effected a forcible entrance, directed from thence, in person, the operations of his adherents. But the issue

* *Armatis hominibus, ante diem tertium Nonas Novembres expulsi sunt fabri de arcâ nostrâ, &c.—Ad Attic. iv. 3.*

of the contest was far from being in his favour, since Quintus Flaccus, at the head of a resolute body of well-armed retainers, making at length a furious sally upon the assailants, succeeded in repulsing them after a severe slaughter, in which the most distinguished members of the Clodian party were left on the ground, and in which the chief promoter of the fray would have met with the fate he had so often tempted, had he not escaped the search of the victors by a hasty concealment. This defeat produced a considerable diminution of his strength, although it proved no check upon his insolence. The senate, provoked beyond their usual power of endurance, by the late repeated excesses, decreed that those who had been guilty of them, should be indicted under the law respecting illegal violence, and that the election of ædiles should be deferred until they had been called upon to account for their conduct. As it was a standing law in the constitution, that no magistrate should be impeached while actually in office, Clodius had been encouraged by the prospect of his speedy return to the dignity for which he was a candidate, and the hope of immunity from punishment for a year to come, in braving the public authorities, and even under the express prohibition of the decree, and in open defiance of the senate, persisted, with the aid of the consul Metellus, in his endeavours to hold the comitia. But the fortune of his opponent was now in its turn upon the ascendant. Milo had openly declared that no ædiles should be chosen, under any circumstances, until the consulate of Metellus should expire; and fully redeemed his pledge, by occupying the different places appointed for the assemblies of the people with an armed force, and by declaring on every occasion, in his capacity of tribune, that the auspices were unfavourable to the meeting. For several weeks the city was kept in an uproar

by the contentions of the two parties, and it was not until the January following, when the consuls Cornelius Lentulus Marcellinus, and Lucius Marcius Philippus, had for some days entered upon their office, that Clodius, whose well known extravagance probably induced the people to expect some extraordinary magnificence in the games which should be entrusted to his management, was at length elected curule ædile*.

At the commencement of this year Cicero delivered in the senate house, his speech on the restoration of the king of Egypt to his dominions. Ptolemy, sur-named Auletes, the father of the celebrated Cleopatra, having provoked the hatred of his subjects by repeated acts of oppression and tyranny, was at length driven from his kingdom by a general insurrection, and forced to apply to the Roman senate for assistance, offering, as a bribe to induce them to interfere in his favour, to hold all the territory he might regain in acknowledgment of their sovereignty. His subjects, who, on a false report of his death, had placed his daughter Berenice upon the throne†, on

* Cicero at the close of the year A.U.C. 697, was, for a short time, at his Tusculan villa, as appears from his epistle to Gallus, (Ad Diversos, vii. 26,) in which he states that he had retired from Rome for a few days, in consequence of a temporary indisposition. He accounts for his illness as follows :—" You will wonder, perhaps, what excesses I have been guilty of, to bring upon myself this disorder. I must inform you that I owe it to the frugal regulations of the sumptuary laws. The products of the earth being excepted out of the provisions of that act, our elegant eaters, in order to bring vegetables into fashion, have found out a method of dressing them in so high a taste, that nothing can be more palatable. It was immediately after having eaten freely of a dish of this sort, at the inauguration feast of Lentulus, that I was seized with an illness which has never left me till this day. Thus you see that I, who have withstood all the temptations that the noblest lampreys and oysters could throw in my way, have at last been overpowered by pultry beets and mallows."—*Melmoth*. The law alluded to is probably the *Lex Licinia Sumptuaria*, passed A.U.C. 687, which, though it allowed but a certain quantity of meat to be served up at entertainments, left the vegetables to be supplied *ad libitum*.

† Dio Cassius, Hist. Rom. xxxix.

receiving intelligence of his appeal, despatched in haste an embassy, consisting of a hundred deputies, to entreat the senate not to listen to it; but of these, several were assassinated by his directions, either on their journey, or soon after their arrival at Rome: the rest he contrived to win over to his interests, either by bribes or by promises. Odious as his cause was, Pompey was, nevertheless, inclined to lend him his full support, in the probable expectation of being entrusted with the commission of reinstating him in his dominions, and several long and anxious debates took place, in consequence, upon the subject. But the tide of public opinion ran strongly against the exiled prince, partly on account of his well-known tyrannical disposition, but more especially from the pretended discovery of an oracle in the Sibylline books, by the tribune Marcus Cato, who was fiercely opposed to his restoration, by which the Romans were cautioned, in awful and mysterious language, against any expedition equipped from their city for the purpose of aiding a king of Egypt in the recovery of his crown. Cicero, who appears to have been less scrupulous of offending against the voice of justice than against that of prophecy, and who, moreover, was anxious to secure the command of the expedition to Egypt for his friend Lentulus, at the time proconsul of Cilicia, attempted, with the assistance of Lucullus and Hortensius, to procure the adoption of a middle course, which, though fully as iniquitous as that already contemplated, would, at least, lie beyond the scope of the oracular denunciation. He, therefore, proposed, in his address to the senate*, that, instead

* Brief fragments of this oration (*De Rege Alexandrino*), together with an ancient commentary, as it is supposed, of Asconius, have been discovered by Maio, in the Ambrosian library of Milan, and are to be found in the latest editions of Cicero's works. They are, however, wholly unimportant.

of sending an armed force directly from the city under Pompey, or any other general, the governor of Cilicia should be appointed to march into Egypt with the troops stationed in his province, and aid in the reduction of the revolted kingdom to the authority of its former sovereign. The faction of Pompey resisted this proposal with all their strength, and Crassus added his voice against it, advising, no doubt with the view of being himself included in the commission, that the office of restoring Ptolemy should be entrusted not to one general, but to three; while another party under Bibulus, equally sensitive to their own advantage, clamoured for the appointment of as many civil commissioners, in the place of men invested with a military command. Owing to the divisions among its supporters in the senate, the feeling of disapprobation towards it among the members of that body, and the unanimous cry against the measure from the more equitable, or rather the more superstitious multitude without, the plan of interference was at length obliged to be dropped, and the Egyptian monarch forced to remain for some time longer without his ancestral throne; although he was afterwards, to the grief and indignation of his subjects, reinstated in it, in consideration of a bribe of ten thousand talents, by Gabinius, proconsul of Syria.

Clodius, elated with his recent election, by which he had gained the very point of vantage from which his adversary was forced to descend, was now busy in carrying forward an impeachment of Milo for illegal violence; founding with measureless assurance his accusation on the very ground upon which he himself ought long before to have been condemned;—the employment of armed gladiators against peaceful citizens, and the creating of tumults to the hindrance of the comitia. A fresh succession of disturb-

ances ensued on this question which shook the city to its centre. Milo, though supported by the countenance of Pompey, Crassus, and Cicero, was, nevertheless, compelled, on two occasions, to appear to the charge brought against him, and each time the violence of the partisans both of himself and his rival threatened the most serious consequences. On the second day appointed for his trial, Pompey was selected as the especial object of the abuse of the opposite mob. After he had delivered a speech of three hours, duration in defence of Milo, Clodius rose to reply, but was so exasperated and annoyed by the invectives and cutting sarcasms vociferated against him, that instead of proceeding with his address, he had recourse to his favourite system of annoyance, and, according to his usual manner, began a series of questions to his retainers: "Who is it that procures laws to destroy the people by famine? Who is it that wishes to be sent to Alexandria?"—to all of which his followers responded by shouting in chorus the name of "Pompey." His concluding interrogation, however,—“Whom is it the will of the people to send upon the expedition?”—was answered in a different manner, since, with one accord, the Clodians returned for reply repeated cries of “Crassus.” Whatever effect the previous insults might have produced, this at once told to the quick upon the jealousy and ambition of Pompey, and had nearly produced an open rupture between himself and his wealthy confederate, since he shortly afterwards uttered, at an assembly of the senate held in the temple of Apollo, hints of his intention to stand upon his defence, and not to be murdered as Scipio Africanus had been by Carbo. He even proposed to Cicero, whether sincerely or not, to enter into an agreement with him for their mutual safety, pretending a plot against his life, encouraged by Crassus, and calling in

a number of his retainers from the country for his better security. But his immediate answer to Clodius was, an encouragement to his followers to fall without ceremony upon the adverse party and drive them from the field. He was at once understood and obeyed, and after a spirited skirmish, in which their leader was ejected summarily from the rostra, the Clodians were thoroughly beaten and dispersed. The prosecution of Milo was, as the result, probably allowed to drop, since, although mention is made after this, of repeated adjournments of his trial, there is no account extant of its issue.

The oration for Publius Sextius, was delivered during the heat of these commotions*: a noble monument of eloquence, and, perhaps, one of the most free, among the numerous compositions of Cicero, from their besetting fault,—a too great display of the merely mechanical graces of the rhetorician. As Sextius was impeached under the Lutatian law respecting violence, for the part he had acted when tribune, in seconding the attempts of Fabricius to maintain the forum and rostra against the attacks of Clodius, the orator had an opportunity of commenting upon the causes of his own banishment, the manner in which it had been effected, and the whole series of events occurring during the consulate of Gabinius and Piso. The remembrance of his exile, seems fortunately to have deprived him of some portion of the egotism in which he had been formerly accustomed to indulge, and to have exorcised the shades of Catiline, Lentulus, and Cethegus, which were formerly allowed to flit through his orations. His mention of himself is, in all respects, dignified and unoffending. But against the two consuls under whose administration he had suffered so severely, he expends

* Sextius was acquitted on the 13th of March.—Ad Quintum, ii. 4.

his whole powers of vehement declamation and studied irony ; and these twin harpies of the republic are represented for the reprobation of posterity, not only in all the disgraceful minutiae of their moral characters, but in the most finished details of outward form and feature, which we still see before us as perfectly as if they had been preserved by the skill of the most accomplished artist. Yet, although the orator sarcastically dwells on the fopperies and excesses of Gabinus, his curled hair arranged tier above tier*, his unguents, and dissolute glances, he reserves his happiest powers of description for his colleague, whom he paints as mimicking the ancient worthies of the republic with his profusion of beard, his uncombed hair, his sordid toga, his solemn countenance, severe looks, and contracted eye-brow, on which, as on the shoulders of Atlas, the whole interests of the state might be thought to rest†. Nor has he shown less ability in depicting with most vivid colours the several scenes which occurred in Rome during his exile, and at the moment of his return;—the miserable condition of the state torn by anarchy and faction, the insolent despotism of Clodius, the frays and tumults which accompanied his factious violence, the sudden revulsion of feeling in favour of his own recall, and the exultation and triumph with which all Italy arose to do homage on his return to the patriot who had been compelled to forsake his country in a moment of weakness and infatuation. Independently of other considerations, the oration for Sextius will long continue to be prized, as the best account of the occurrences of a year far from being the least remarkable in the annals of Rome. But were it less

* *Alter, unguentis affluens, calamistratâ comâ, despiciens, conciens stuprorum, &c.*—*Pro Sextio*, viii.

† *Nam quod ego de supercilio dicam? quod tum hominibus non supercilium sed pignus reipublicæ videbatur, &c.*—*Ibid.*

interesting as an historical document, its intrinsic merits could never fail of inducing in the student of ancient literature, a feeling of satisfaction at its escape from the fate which has overtaken so many other models of reasoning and eloquence, the production of the same exalted intellect. Sextius, however, as we find, was not wholly indebted to it for his acquittal*, since, in this cause, the pleadings of Cicero had been preceded by a masterly defence, prepared by the long practised skill and abilities of Hortensius†.

The same occasion gave birth to the oration, or as it is generally called, the "Interrogation" against Vatinius. The latter, who had borne the offices of quæstor and tribune of the people, and had long rendered himself obnoxious to Cicero by his devotion to the Clodian faction, had appeared as a witness for the prosecution in the cause of Sextius, and was consequently exposed to the severe cross-examination of the counsel for the defendant. This, in the form of a long succession of questions, to which Vatinius neither had the power, nor probably the inclination to answer, constitutes the whole of the above mentioned oration, which is chiefly remarkable for its pungent satire;—its leading object being to render ridiculous and contemptible the individual against whom it was pronounced, a work which, if the character given of Vatinius has not been distorted by the malevolence of party spirit and political animosity, appears to have been essentially one of supererogation; but which, Cicero tells us, was performed in such a manner as to deserve the applause both of gods and men‡. We find from his letters, that while the cause of Sextius

* Ad Quintum, ii. 4.

† Pro Sextio, vi.

‡ Vatinius arbitrato nostro concidimus, dis hominibusque plaudentibus.—Ad Quintum, ii. 4.

was in progress, he also undertook the defence of Lucius Bæstia, accused of corrupt practices in canvassing for office. This oration is entirely lost. It was followed by one induced by a renewed attack on the part of Clodius, whose ill-feeling towards him was not likely to be diminished by the late storm of impassioned censure directed against himself, and under circumstances sufficiently elucidatory of the character of the times.

The attention of the haruspices at Rome had of late been called to the serious consideration of certain ominous portents, on which their opinion was requested by the senate*. The heavens had been, as it was reported, illumined by a strange and dazzling meteor, which traversed them from north to south. A wolf had been seen to enter the gates of the city, and to wander through its streets, contrary to the usual cautious habits of those animals of prey. A shrine of Juno on the Alban mount, which had hitherto faced the east, had turned suddenly towards the north; several citizens had been struck with lightning; and, in the vicinity of Rome, strange and horrible noises were said to have been heard, resembling the uproar of encountering armies, and the clanging weapons of subterranean hosts†. The persons consulted on the causes of these supposed tokens of the displeasure of the gods, answered, that the public games had been negligently performed and polluted; that places consecrated to the service of religion had been considered as profane; that those who had worn the character of suppliants had been basely murdered, contrary both to law and to equity; that rites of the most ancient

* De Haruspicium Responsionibus, x. Dio Cassius, xxxix

† The true cause of this phenomenon was no doubt, the earthquake mentioned in the oration on the subject as having lately taken place in the Picenum

and mysterious kind had been imperfectly celebrated and desecrated, and that the sanctity of the most solemn oaths had been disregarded. Jupiter, Saturn, Neptune, and Tellus, were declared to be the divinities to whom it was necessary that expiation should be made; and they were said to warn the state by these fearful tokens, against such divisions among the nobility and leading persons of the state, as must infallibly lead to disgrace abroad and ruin at home. On this vague reply, Clodius based a long oration, intended to show that the rebuilding of Cicero's house, on ground expressly consecrated to religious purposes, was one of the events alluded to as having provoked the resentment of the deities; and Cicero, on the following day, made his reply in the senate-house. After successfully parrying both the assertions and insinuations of his adversary, he endeavoured, in his turn, to bring, not a part, but the whole, of the reply of the haruspices to bear upon the Clodian faction, and to prove them equally guilty under each of its separate counts. 1. By a late interruption of the Megalesian games, and the introduction of persons of servile condition into the theatre at their celebration*. 2. By the occupation on the part of Clodius of the house of Quintus Seius, whom, after an ineffectual attempt to gain his resi-

* The Megalesian games, in honour of the goddesses Ceres and Cybele, were annually performed at Rome with the utmost expense and magnificence, on the 4th and 9th of April, in the Circus Maximus. The classical reader will remember the beautiful allusion made to them by Juvenal at the close of his eleventh satire. Previous to their celebration, all who were not freemen were commanded to depart from the spot. Clodius, however, in the year of his ædileship, while presiding over these entertainments, introduced an immense number of slaves into the theatre. A tumult arose in consequence, which was quelled with great difficulty by the consul Lentulus Marcellinus; but, on a second occasion, the Clodian mob actually drove all the other spectators from the place, and kept possession of it for themselves.

dence by purchase, he was said to have caused to be poisoned; and by the demolition of a shrine, and several altars within its precincts*. 3. By the murder of Theodosius, a native of Chios, while employed on an embassy to Rome†, a deed in which Clodius had the reputation of having been the principal actor; and the assassination, by order of Piso, of Plator‡, a citizen of Orestis in Macedonia, who had been sent by his countrymen to Thessalonica, on a public mission to the proconsul; and 4. By the late violation of the rites of the Bona Dea, and the perjury of the judges who had acquitted the criminal plainly guilty of that notorious sacrilege. The danger of dissention among the principal persons of the state, the orator demonstrated to be only avoidable by the suppression of the insolence of the individual to whom all the disturbances which had lately happened, and in consequence of which the commonwealth was now tottering on the verge of ruin, were plainly attributable. After this speech, we do not find that Clodius ventured again to interfere with respect to Cicero's Palatine house, which, as well as that erecting for his brother, is mentioned, in his letters to Quintus, as now rapidly rising from its ruins in a style of surpassing magnificence§. Contentions upon other subjects, however, between these two bitter enemies were not wanting. Notwithstanding the universal assent of the people to his return, the decrees respecting the banishment of Cicero were still fixed up in the Capitol. In order, therefore, to abolish this last remaining testimony of his disgrace, he ascended thither in company with Milo, and several of the tribunes; and having torn down the brazen tablets on which the obnoxious acts were engraved, was

* De Haruspicum Responsionibus. xii.

† Id. xiv.

‡ Id. xxi.

§ Ad Quintum. ii. 3, 4.

carrying them off in triumph, when Clodius, having hastened to the spot with his brother Caius, at that time prætor, forced him to abandon his design. But a second attempt, while Clodius was absent from the city, was more successful, since Cicero was enabled, without interruption, to remove the tablets to his own house. A warm dispute was afterwards raised in the senate upon the subject, Clodius making loud complaints against the illegal violence which he pretended had been used, while even Cato, who had now returned from executing his commission at Cyprus, took part against Cicero, who defended his conduct by the argument of which he had several times before availed himself, that all the acts procured by the instrumentality of his adversary during his tribunate, were necessarily void, in consequence of the illegality of his adoption into the plebeian order.

His reputation among the people was, at this time, by no means roused by the part he had lately taken in forwarding the views of the triumvirate. A motion which he had made for reconsidering the Agrarian act of Cæsar respecting the distribution of the lands of Campania was suffered to drop, on a remonstrance from Pompey, who, previous to his departure to Africa, for the purchase of corn in the prevailing scarcity, had been summoned to an interview with Cæsar at Tuccæ, in which the latter engaged him to use all his influence with Cicero, to prevent his carrying his opposition any further*. In the debates respecting the assignment of the consular provinces for the ensuing year, according to the Sempronian law, the wavering in his policy was not less obvious. His speech upon the subject, while strenu-

* Cæsar had been informed of Cicero's opposition in a previous interview with Crassus, which took place at Ravenna.

only recommending that Crabinius and Piso should, without delay, be summoned home from Syria and Macedonia, was replete with arguments for continuing Cæsar in the government of the two Gauls, contrary to the opinions of the party with which he had hitherto sided. In it he eloquently sets forth the danger which had at all times threatened the state from the different Gallic nations, and the unexampled display of valour and conduct by which they had been lately not only prevented from crossing the barrier of the Alps, but actually subjected to the Roman arms, after a succession of dazzling campaigns, carried on in the heart of their own country, and against the fiercest among their tribes*. The abilities of Cæsar are mentioned in terms of the highest panegyric: his former enmity towards himself the orator treats with singular gentleness;—professing, with apparent generosity, to sacrifice all considerations of a private nature to his regard for the general interests of the commonwealth. But it is unfortunately out of the power of his readers to give him credit for more than the partial influence of any such feeling. In advocating in this instance the cause of Cæsar, he was guided by two motives. The first was his hatred of Piso and Crabinius, and his indignation at the conduct they were at present pursuing in the countries entrusted to their government. If Cæsar were recalled from either or both of the Gauls, it was by no means unlikely that these would be selected as consular provinces for the ensuing year, in which case Macedonia and Syria, instead of being assigned to the new consuls at the expiration of their office, as Cicero had intended, would in all probability be still suffered to continue under the sway of their present oppressors. His second reason is clearly explained in his letters to the pro-consul

* De Provinciis Consularibus, xlii. *

Lentulus, and it cannot be said to be one which reflects the highest credit upon his integrity. Disgusted with the pride and arrogance of the purely aristocratical party, who seem to have been constantly reminded of his inferior birth by their jealousy of the late honours with which his return had been accompanied, and, at the same time, despairing of making any effectual opposition to the confederacy, among the members of which all the power of the state was now divided, he was now evidently inclined to place himself at the entire disposal of the triumvirate, and more especially of Pompey, to whom his correspondence professes a complete devotedness. Nor was the voice of interest altogether silent, or without its share in inducing the change. "As to your inquiry concerning the state of public affairs," writes the yielding patriot, in giving an account of the issue of the late debates upon the consular provinces, "our differences of opinion are the greatest possible, but the combatants are unequally matched. For those who are already the strongest in wealth, arms, and political power*, have risen to still more extensive influence by the folly and inconsistencies of their adversaries. They have, therefore, with but slight opposition, obtained from the senate that which they are well aware they could never have gained from the people without a serious convulsion; for both the money demanded by Cæsar for the pay of his army has been voted to him, and the power of choosing ten lieutenants, while it has been easily effected that no successor should be sent into his province as appointed by the regulations of the Sempronian law. I do not write at length upon this subject, since the present condition of the republic is far from meeting with my approbation; my sole object is to remind

* An allusion to the triumvirate.

you of a lesson which, although devoted to philosophy from my childhood, I have acquired less by study than by painful experience, but which I hope you will learn in a milder school than that of adversity; namely, that, in consulting our honour, we should neither entirely lose sight of our own interests*, nor wholly devote ourselves to the latter, at the sacrifice of honour."

From the same letter, as well as from others of about the same date, it is ascertained that at this period he was engaged in forming an alliance between his daughter Tullia and Furius Crassipes †, a Roman of high birth and considerable property, as well as by the nuptial festivities of his friend Atticus, who had recently celebrated his marriage with Pilia. The happiness of Cicero received no accession from his new family connexion, since a coldness soon took place between Crassipes and Tullia, which ended in a formal divorce. Other vexations do not seem to have been wanting to embitter his peace—vexations of such a kind as were not to be precluded from crossing his threshold, or from darkening his domestic hearth. To these he frequently alludes, although in guarded expressions; but it is evident that the causes of the discords, which afterwards separated him from his own wife, were now fast increasing in number, and constantly

* Ad Diversos, i. 7. The word "interests" is perhaps the best translation of the very delicate and significant term *salutis* in this passage. Melmoth, in his notes to the epistle, has justly expressed a severe censure of the disingenuousness of Cicero, who, in his oration for Balbus, lays public claim to the honour of being the foremost to advocate the very concessions of which he complains in his letter to Lentulus: "Harum ego sententiarum et princeps et auctor fui."

† Tullia was affianced to Crassipes on the fourth day of April, and the entertainment, termed the "sponsalia," in celebration of the event given on the sixth of the same month. "Dedecam ad te literas, Tulliam nostram Crassipedi prid. Non. April. esse desponsatam." (Ad Quintum, ii. 5.) "Ad viii. Id. Apr. sponsalia Crassipedi præbui."—Ad Quintum, ii. 6.

exerting a more depressing influence upon his peace and spirits.

It is not easy to affix the exact date to his orations for Coelius and Balbus, although both are undoubtedly to be referred to the consulate of Philippus and Marcellinus. Balbus was a native of Gades in Spain, upon whom Pompey, in return for his services during the war against Sertorius, had conferred the freedom of the city. His right to the honour was, however, impugned by one of his fellow citizens, and the cause was ultimately referred to the tribunal of a Roman prætor. Considering the talent and authority arrayed on the side of the defendant, there is nothing to excite wonder in the determination of the question in his favour, since Pompey, Crassus, and Cicero appeared in succession in his behalf. The oration of the last yet remains to testify against its author, by the excess of its flattery towards the idol on whom so much of the incense of his noble genius was wasted. The speech of Pompey is eulogised as surpassing all which he had yet heard in acumen, profundity, dignity, elegance, and a thorough acquaintance with the laws and precedents*. Over and above the fulsome adulation, moreover, which pollutes the introductory passages of this oration, there is a fatal position in it, the doctrine of which there is but too much reason to believe Pompey to have been sufficiently ready to acknowledge; but which both himself and his panegyrist lived to repent—the assumption, that what had been done by so great and renowned a character, must necessarily and inevitably be lawful. It was such assertions as these that familiarised to the ears of the Roman people, long before its arrival, the despotic power which was hastening with rapid strides towards them, although under a form little suspected, and still less dreaded.

* Pro L. Cornelio Balbo, i.

In the defence of Marcus Coelius, while there is perhaps less to blame in point of principle, there is at the same time more to admire in consideration of the rhetorical excellences of the oration. Coelius, a Roman knight of habits which, even by the representation of his advocate, seem to have been sufficiently dissolute, was accused by Atratinus, a citizen whose father he had formerly impeached of crimes of the most atrocious character. He was asserted to have procured the murder of Dion, one of the late ambassadors sent to Rome from Alexandria, and to have borrowed from Clodia, the sister of the ædile, with whom he was at the time living in guilty intercourse, a sum of money for the purpose of hiring the assassins. Of this loan, when it was redemanded, he was said to have refused the payment, and to have added to his other delinquencies the enormity of an attempt to poison the lender by the instrumentality of her own servants.* In these charges, which were chiefly instigated by Clodia, from some cause of disgust given by her paramour, there was a character of personal malevolence obvious enough to render the whole improbable in the eyes of impartial judges. The opportunity of increasing and strengthening this impression would not have been neglected by a much less acute pleader than Cicero, and he has availed himself of it to the full. At the same time, under the avowed influence of a wish to spare the character of Clodia, as much as might be consistent with the interests of his client, he indulges his hostility to her family and name by a withering exposure of her vices. His expedient of summoning the shade of the blind old censor Appius Claudius, to upbraid the unworthy daughter of his once glorious house, and cite in her ears the virtues of her female ancestry, is a master-stroke of fanciful satire. Of the other parts of the speech, in which he attempts to throw a gloss over the dissolute habits of the ac-

cused, the advocate is much more to be commended than the moralist. These passages will long furnish a standing evidence of the extent to which honour and dishonour, temperance and excess, were confounded, altered, or substituted for each other at will in Roman society, by a rule of conduct, which was subject to any amplification as well as restriction in its definitions; and considered either binding or not, as the philosophic pride of abstinence, or the Epicurean sentiment of indulgence, predominated in the minds of its expositors*. Cælius was acquitted by the general sentence of his judges of the charges brought against him, not more probably in consequence of the exertions of his defenders† than of the imprudence of his enemies, who, in attempting his ruin, had overlooked the common danger of proving too much.

If it were necessary to produce a document which to a greater extent than any in existence would throw light upon the besetting weakness of Cicero, the celebrated letter to Lucecius‡, referable to this stage of his history, might be selected for the purpose. Of his eagerness to enlist the services of men of talent for the celebration of his consulate, instances have been already seen. But in his epistle to the historian

* Dr. Middleton's criticism upon the oration for Cælius is singularly marked by the partiality of the biographer:—"In this speech Cicero treats the character and gallantries of Clodia, and the gaieties and licentiousness of youth with such a vivacity of wit and humour, that makes it one of the most entertaining which he has left to us." The vivacity is at least of a most questionable character.

† Marcus Crassus, as well as Cicero, was engaged as advocate in the cause.

‡ *Ad Diversos*, v. 12. In the chronological arrangement of Schütz, this epistle is placed between the fifth and sixth letters of the fourth book of the correspondence of Cicero with Atticus,—a date ascertained by the mention made of it by the writer himself: (*Ad Attic.* iv. 6.) "*Epistolam Lucecio nunc quam misi,*" &c.

in question, his morbid appetite for fame transcends all moderation, and hurries him into a degree of meanness, which may be proclaimed almost unparalleled, and which, if incontrovertible evidence of it did not exist, would certainly be pronounced incredible. The first part of it, and it is unnecessary to quote the whole in corroboration of this disgraceful truth, is as follows:—

“MARCUS CICERO WISHES HEALTH TO LUCIUS LUCCEIUS, THE SON OF QUINTUS.

“I have frequently intended to converse with you on the subject of this letter, but a certain almost rustic modesty has hitherto restrained me from proposing in person what I can, with less scruple, request at this distance; for a letter spares the confusion of a blush. I will own then that I am inflamed with an incredible, yet, as I believe, by no means a culpable desire of being rendered celebrated and illustrious by your writings, and although you have more than once given me assurance of your intending me that honour, yet I hope you will excuse my impatience of seeing that design executed. I had always, indeed, conceived a high expectation of your performances in this kind; but the specimen I have lately seen of them, is so far superior to all I had figured in my imagination, that it has fired me with the most ardent desire of being immediately distinguished in your glorious annals. It is my ambition, I confess, not only to live for ever in the praises of future ages, but to have the present satisfaction likewise of seeing myself stand approved in the authoritative records of my ingenious friend. I am sensible, at the same time, that your thoughts are already deeply engaged in the prosecution of your original design. But, as I perceive you have almost completed your account of the Italic and Marian civil

wars, and remember you proposed to carry on the remainder of our history in a regular series, I cannot forbear recommending it to your consideration, whether it would be best to weave the relation of Catiline's conspiracy into the general texture of your performance, or cast it into a distinct work. It is certain several of the Greek historians will justify you in this latter method. Thus, Callisthenes wrote a narrative of the siege of Troy, as both Timæus and Polybius did of the Pyrrhic and Numantine wars, in so many detached pieces from their larger histories. As to the honour that will arise to me, it will be much the same, I must own, upon whichever scheme you may determine to proceed; but I shall receive so much the earlier gratification of my wishes, if, instead of waiting till you regularly advance to that period of our annals, you should enter upon it by this method of anticipation. Besides, by keeping your mind attentive to one principal scene and character, you will treat your subject, I am persuaded, so much the more in detail, as well as embellish it with higher graces. I must acknowledge it is not extremely modest thus to impose a task upon you which your occupations may well justify you in refusing; and then to add a further request, that you would honour my actions with your applause, an honour which, perhaps after all, you may not think they greatly deserve. However, when a man has once transgressed the bounds of decency, it is in vain to recede, and his wisest way is to push on boldly in the same confident course to the end of his purpose. I will venture then earnestly to entreat you not to confine yourself to the strict laws of history *, but to give a

* The original is still more forcible. — "*Itaque te plano etiam atque etiam rogo, ut et ornēs ea vehementius etiam quam fortasse sentis, et in eo legēs historiæ negligas; gratiamque illam, de quā suavissime quodam in præmio scripsisti, ea si*

greater latitude to your encomiums than possibly you may think my actions can claim. I remember, indeed, you declare in one of your very elegant prefaces, that you are as inflexible to all the pleas of affection as Xenophon represents Hercules to have been to those of pleasure. Let me hope, nevertheless, if friendship should too strongly recommend my actions to your approbation, you will not reject her generous partiality, but give somewhat more to affection than rigorous truth can justly demand.

“If I should prevail upon you to fall in with my proposal, you will find the subject, I persuade myself, not unworthy of your genius and your eloquence. The entire period, from the rise of Catiline’s conspiracy to my return from banishment, will furnish, I should imagine, a moderate volume. It will supply you likewise with a noble occasion of displaying your judgment on politics, by laying open the source of these civil disorders, and pointing out their proper remedies, as well as by giving your reason for approving or condemning the treachery or perfidiousness of those who laid their ungenerous snares for my destruction. I will add, too, that this period of my life will furnish you with numberless incidents, which cannot but draw the reader’s attention in a very agreeable manner; as nothing is more amusing to the mind than to contemplate the various vicissitudes of fortune: and though they were far, it is true, from being acceptable in experience, they cannot fail of giving me much entertainment in description, as there is an inexpressible satisfaction in reflecting, at

me tibi vehementius commendabit, ne aspernere.” In his fervour of supplication, he beseeches the historian, without disguise, *again and again*, to employ a much more elaborate and ornamental panegyric upon his consulate than his own conscience might suggest that it deserved, and leave behind him on this occasion the ordinary laws of history, i. e., sobriety and truth.

one's case, on distresses we have formerly suffered. There is something, likewise, in that compassion which arises from reading an account of the misfortunes which have attended others, that casts a most agreeable melancholy on the mind. Who can peruse the relation of the last moments of Epaminondas at the battle of Mantinea, without finding himself touched with a pleasing commiseration? That glorious chief, you may remember, would not suffer the dart to be drawn out of his side, till he was informed that his shield was safe from the hands of his enemies; and all his concern, amidst the anguish of his wound, was to die with glory. What can be more interesting, also, than the account of the flight and death of Themistocles? The truth, if it is a mere narrative of general facts, affords little more entertainment to the reader than he might find in perusing one of your public registers; whereas, in the history of any extraordinary person, our fear and hope, our joy and sorrow, our astonishment and expectation, are each of them engaged by turns. And if the final result of all should be concluded with some remarkable catastrophe, the mind of the reader is filled with the highest possible gratification. For these reasons, I am the more desirous of persuading you to separate my story from the general thread of your narrative, and work it up into a detached performance, as indeed it will exhibit a great variety of the most interesting and affecting scenes*."

Cæsar having returned to Lucca towards the close of the year A. U. C. 698, was joined in that town by Pompey and Crassus, together with a number of the Roman nobility, who flocked thither to pay their court to the victorious general, in the hope of securing, by an early place in his esteem, some sub-

* Melmoth's Letters of Cicero.

stantial benefit to themselves from his daily increasing influence in the state. At the councils of the triumvirate which ensued, it was determined that the two Gauls should be secured to Cæsar for five years longer, and that Pompey and Crassus should enjoy the consulate for the year following; after which the government of Spain, for the space of five years, was to be entrusted to the former, and that of Syria, with the power of conducting a war against Parthia, to the latter. Upon this agreement, the confederates separated;—Crassus and Pompey returning to prosecute their ambitious designs at Rome, while Cæsar proceeded to make his preparations for a campaign more memorable than any which he has recorded in the eyes of an English reader, inasmuch as it terminated by exhibiting the eagles of his legions, for the first time, to the gaze of the wild defenders of the coast of Britain, and of convincing his adventurous troops of the actual position of an island, the very existence of which had been to that time considered a matter of very considerable doubt*.

The resolution of the triumvirs to obtain the consulate for two of their own body was not taken until after the usual time of holding the comitia had passed, and was in a great measure prompted by the appearance of Lucius Domitius Ahenobarbus as a candidate; who, with singular boldness, did not attempt to disguise his confident expectation of being elected to the office, or the use he intended to make of it; openly giving out that one of his first steps after his return would be to rescind the recent acts of Cæsar. So great, however, was the general dread of the triumvirate, that he was suffered to stand alone in his opposition to the powers by whom the whole machinery of the government was regulated,

* Plutarch in Cæs.; Suetonius, Jul. xxv.

not a single individual presenting himself as his fellow candidate. The tribune Marcus Cato, moreover, exerted the whole of his authority against him, and by frequently forbidding the comitia, brought the year to a close without any election whatever of public officers. An interregnum therefore ensued for some months, as a consequence of which, Crassus and Pompey, who had before neglected to profess themselves candidates in opposition to Domitius within the time prescribed by law, were enabled to stand for the honour to which he was aspiring, and were with little difficulty returned*. Porcius Cato, at the same time, appeared as candidate for the prætorship; but after the election had been frequently delayed by the new consuls, was ultimately repulsed,—the infamous Vatinius being elected in his stead. The stoical patriot was, however, by no means deterred from exercising his censure on all occasions upon the policy of the triumvirate; and when the motion respecting the extension of the period of Caesar's government in Gaul, and the assignment of Spain and Syria to his colleagues, came before the senate, opposed it so warmly, that he was committed to prison by the tribune Caius Trebonius†.

Piso, the proconsul of Macedonia, had, in the meantime, as well as Gabinius, received his recall, and was obliged, however reluctantly, to obey the summons. He reached Rome shortly after, but was so conscious of the opinion prevalent with respect to his misconduct in his province, that on reaching the gates of the city, he commanded his lictors to remove the laurel from their fasces, and retired to his house with as small a retinue, and in as unostentatious a manner as possible, attempting by this means to avoid attracting the notice of the populace.

* Dio Cassius, xxxix.

† Liv. Epit. cv.; Fasti Hellenici, iii. 188.

It had been well for him if he had continued to make use of the same precautions against publicity. But a few days afterwards he was incautious enough, in his vexation at being removed from a government in which he had promised himself a long licence for plunder, to indulge in a series of splenetic assertions against Cicero, in which he charged him with having effected his recall from envious and malicious motives. The reply to his accusation was one of the severest invectives ever hurled against corruption and guilt by the genius of the terrible antagonist he had provoked. Cicero had been probably long lying in wait for this opportunity, which nothing but the most complete infatuation on the part of Piso could have afforded him, and opened the whole stores of his hoarded detestation to strengthen and embitter his eloquence on the occasion. His speech is not the deliberate and stern reproof of one whom length of time has disarmed of personal resentment, while it has left unimpaired his conviction of the guilt and worthlessness of the object of his censure. If Piso had only the day before driven the orator into banishment, fired his house, and insulted his family, he could not have been assailed by the object of his persecution with a more startling burst of energetic indignation than that elicited by his remarks; which resembles, in fierceness* and vehemence, the sudden

* A perfect vocabulary of Latin abuse might be procured from the oration against Piso. Among other appellations, he is termed—*importuna bellua*, *funerifer*, *cernum*, *Epicure noster ex hanc pro ducte non ex schola* (our friend Epicurus here, not from the school but the sty,) *carnifex*, *immanissimum ac fœdissimum monstrum*, *vulturius provincie imperator*, *vorago reipublice*, *furia*, *pestis et labe*, *bustum reipublice*, *scelus*, *tenebræ*, *sordes*, *lutum*, &c. &c. The pseudo-philosophic aspect of the ex-consul is coarsely, yet most vividly, depicted: "You have crept into honours," exclaims the orator, "by the madness of men, and recommended by the smoky busts of your ancestors, which you resemble in

outbreak and descent of an Alpine torrent, in a moment prostrating, surmounting, or bearing before it every obstacle which might be expected to impede the rush of its excited waters. The speaker does not omit the opportunity of descanting upon the glories of his own consulship in comparison with the former administration of his enemy. He draws a most frightful picture of the misery of the provinces presided over by Piso and his recent colleague; and concludes, after bringing in rapid succession before the eyes of his auditors the once noble cities and districts upon which the subject of his denunciations had been suffered to exercise his cruelties and extortions at pleasure, amidst a blaze of impassioned rhetoric, in which the words, prompted by his glowing imagination, seem to crowd upon him almost too fast for expression*.

Cicero had been summoned to this hostile encounter, from the delightful retirement of his villa near Puteoli, at a season when the seductive coast in its neighbourhood had assumed its most beautiful aspect. Here he had lately been giving himself up to the indulgence of a brief interval of leisure, devoted to a

nothing *but colour*." And again,—“When produced before the assembly, and asked your opinion respecting my consulship, you reply, respectable authority as you are, with one eyebrow elevated to your forehead, and the other brought to a level with your chin, that you were never a friend to cruelty!” Gabinius is treated with equal severity. *Saltatrix tonsa, gurgex, concinnus belluo*,—are some of the mildest appellations bestowed upon him.

* The beauty, power, and dignity of the final paragraph could scarcely be transferred into any other language. “*Nunquam ego sanguinem expetivi tuum—nunquam illud extremum, quod posset esse improbis et probis commune, supplicium legis et judicii—sed abjectum, contemptum, despectum a ceteris—a te ipso desperatum et relictum—circumspectantem omnia—quicquid increpasset pertimescentem—diffidentem tuis rebus—sine voce—sine libertate—sine ulla specie consulari; horrentem, trementem, adulantem omnes, videre te volui.—Vidi,*” &c.—In *Pisonem*, xli.

studious examination of the library of Faustus the son of Sylla; one of the best in Italy, and supposed to have been chiefly acquired by his father, during the course of his spoliations pursued in Greece, after his sanguinary assault and capture of Athens. "I would rather," he writes to Atticus at this time, "occupy the little seat which you have fixed under your bust of Aristotle, than the curule chair of our highest magistrates, and enjoy my friendly walk with you, than with him whom I am now obliged to make my associate*." He probably alluded to Pompey, with whom, during a short residence of the latter at his villa near Cumæ, he appears to have exchanged visits. But the writer, if sincere, little knew his own heart. To him, as to every other statesman infected with the fever of ambition, retirement, however accompanied with the delights of literature, unless at the same time affording an opportunity for contemplating recent triumphs or meditating upon fresh means to attract the popular gaze, was, as his exile might have taught *himself*, and has taught every inquirer into his character, a state of unqualified wretchedness. Soon after his return to Rome, and within a few days of the delivery of the oration against Piso, he was a witness of the magnificent games exhibited by Pompey at the dedication of his theatre. Of all the entertainments yet exhibited in that city, this appears to have been the most costly and imposing. Hitherto all buildings reared for the exhibition of dramatic entertainments had been mere temporary erections. That recently finished, however, was of hewn stone, and spacious enough to contain at least forty thousand spectators†.

* Ad Attic. iv. 10.

† Plin. Nat. Hist. xxxvi. 247.—A few vestiges of this structure, which Tertullian calls an "aux turpitudinum," and probably with abundant reason, yet remain.

In order to avoid the scandal of the expenditure of the enormous sums required for its completion upon the simple purposes of amusement, the stupendous edifice was dedicated as a temple to Venus Victrix, whose shrine, of elaborate workmanship, surmounted the whole, so that the marble benches on which the spectators were seated, appeared, from below, like steps leading to the sanctuary of the goddess. A senate-house was erected close beside it, that the members of the great council of the state might be able to repair at once from the transaction of more serious business to the enjoyment of the public spectacles, together with a basilica for the administration of justice, and porticoes for the protection of the people in unfavourable weather. An innumerable host of statues, according to the prevailing custom of the time, were employed in ornamenting these buildings, and the refined judgment of Atticus was respectfully consulted in their distribution. In a letter to Marcus Marius, Cicero gives a full account of the nature of the shows exhibited at the consecration of the whole: "Our late entertainments," he writes, "although of the most costly description, would hardly have suited your taste, if I may judge of it by the character of my own. For, in the first place, those performers, who ought long ago to have bid farewell to the stage for the sake of their own credit, have been, merely by way of compliment, brought forward anew. Your old favourite *Æsopus* acquitted himself in such a manner, that all men were perfectly willing to grant him his dismissal from service. At the commencement of his oath, and on coming to the words, 'If knowingly I deceive,' his voice utterly failed. Why should I mention the other spectacles? They were such as you have long been acquainted with, without even the attraction which those produced at far less expense usually possess. The contemplation of their extra-

vagance was enough to destroy all enjoyment—extravagance which, I have no doubt, you are not sorry to have missed. For what amusement could the six hundred mules introduced in the “Clytemnestra,” or the three thousand warriors in the Trojan horse, or, in short, the variety of arms both of infantry and cavalry, in any kind of combat be supposed to convey?—means, I allow, of attracting the wonder of the multitude, but which, to you, must have been totally destitute of interest. If, indeed, you have all this time been devoting yourself to listening to the readings of Protogenes, supposing only that you have not employed him on my orations, you have assuredly received no inconsiderable degree of pleasure, and more than any among us. For, I presume, you do not regret the loss either of the Oscan or Grecian plays, since you may, at any time, see the former performed in our own senate*, and the Greeks you so thoroughly detest, that you will not even visit your country-seat by the Grecian road. Neither can I for a moment think that you lament your absence from the contests of the *athletæ*, since you despise even those of our gladiators; and, indeed, even Pompey himself acknowledges that he has wasted upon the former both his oil and his labour.

“I have yet to mention the hunts, which lasted for five days, and were, I must allow, magnificent enough. Yet, what delight can be imparted to a polished mind, when a feeble mortal is torn to pieces by an animal of enormous strength, or a noble beast is transfixed with the spear of its pursuer? Even if these sights were worth beholding, they are such as you must have often witnessed. I, for my part, who was a looker on, was unable to discover any novelty

* A biting sarcasm against the aristocratic order. The Oscians were an ancient people of Italy, famous for the scurrilous and licentious character of their farces.

in the exhibition. The last day was entirely devoted to the elephants, in the massacre of which, if there was something to excite the wonder of the vulgar, there was little to give them any pleasure. Nay, there was even a certain sense of commiseration prevalent after the entertainment, and a very general opinion that the creatures, thus destroyed, must be in some way closely connected in their faculties with the human race*.

“ That I may not appear to you to have been, during these festivities, not only at the height of felicity, but in the enjoyment of perfect freedom, know that I have almost caused my own death, by my exertions in favour of your friend Gallus Caninius. If I had to deal with people as willing to dismiss me from service as they appear to be with regard to *Æsopus*, most willingly would I forswear my art, and spend the rest of my days in company with yourself and those who most resemble you. Weary and disgusted as I was long ago, when fewer years and greater ambition excited me to exertion, and when I still possessed the liberty of declining the defence of all, whom I was unwilling to aid, I am

* Either seventeen or twenty of these noble animals were inhumanly put to death on the occasion. Pliny has given an affecting account of the scene. The hunters, it appears, were *Gætulians*, armed with African bucklers and slender spears, which they used as javelins. The elephants, as soon as the attack upon them was commenced, ran around the arena, making violent attempts to escape, to the great consternation of the spectators, although they were guarded by a massive railwork of iron, and on finding their attempts hopeless, turned to the people uttering hideous sounds, indicative of their despair, which were so perfectly intelligible, that the whole multitude arose with tears in their eyes, and forgetful of the efforts of Pompey for their amusement, uttered curses upon him for his cruelty.—(Nat. Hist. viii. 67.) Yet, the praise of humanity is not to be conceded to a Roman crowd for this transient emotion, the effect of novelty alone. The sufferings of their own species, under similar circumstances, would, assuredly, have been utterly disregarded.

now reduced to the lowest condition of discouragement. No single advantage do I anticipate from my present labours, and the protection, even of my enemies, I am now obliged to undertake at the request of those to whom I am under obligations*." The last hint, which may be considered as the voice of expiring independence, a voice which expressed itself more fully in some of his subsequent epistles, manifestly indicates the extent to which Cicero was now entangled by the trammels of the triumvirate. His time, for some months afterwards, does not seem to have been much occupied by public business. It is certain that a great portion of it was devoted to his celebrated work "*De Oratore*," which was finished before the close of the year†. Of this beautiful dialogue, supposed to have been commenced beneath the spreading planes of Tusculum‡, between Crassus, Antonius, Cotta, Sulpicius, and others, who had constituted, in the preceding generation, a bright constellation of talent in the Roman forum, the matter is too various to allow of a formal analysis. It may be sufficient to state, that it appears in every respect worthy of the distinguished orators from whom it is supposed to emanate, and not less so of the great master whose sentiments it really embodies. On the different styles of pleading pursued by the ablest orators at the Roman bar, the forensic wit and subtlety of antiquity, or rather upon the general principles of legal reasoning and rhetoric, which are peculiar to no period, nor limited to any place, it must always be considered as a treatise of inestimable value.

At whichever of his villas this elaborate essay was

* *Ad Diversos*, vii. 1.

† *Fasti Hellenici*, iii. 189.

‡ The fondness of the Romans for this majestic tree is well known. The earth about its roots was frequently moistened, in order to increase its growth, with the most generous wines, and its leaves selected as the appropriate crown of the fabled Genius of their city and people.

composed, Cicero had returned from thence to the capital some time before the year had expired, as is manifest from his own words. He had thus an opportunity of being reconciled to Crassus, with whom he had latterly been on indifferent terms, before the triumvir had yet set out from Rome for his province of Syria. The reconciliation was brought about by means of Pablius, the son of Crassus, whom, with one of the noblest armies ever ranged beneath the standard of the republic, his avaricious parent was on the point of leading to a speedy and unsparing destruction on the distant wastes of Mesopotamia; and it is a circumstance not unworthy of record, that Crassus and Cicero, who had so often defended the same causes in the forum, and stemmed together the tide of debate in the senate-house, supped together in the gardens of Crassipes, the son-in-law of the latter, situated upon the banks of the Tiber, immediately before the departure of the devoted general upon his calamitous expedition, so that the orator describes him as having almost set out from his own hearth to commence hostilities against the Parthians *. Cicero immediately afterwards leaving Rome, had reached his Tusculan villa on the 15th of November†, and was in the enjoyment of its tranquil retirement, while the legions of Crassus were leaving the city under the impressive circumstances mentioned in the graphic narrative of Plutarch. As the Parthian war was purely aggressive, it was looked upon with unfavourable

* Crassus, ut quasi testata populo Romano esset nostra gratia, pene a meis Laribus in provinciam est profectus. Nam cum mihi condixisset, cornavit apud me, in mei generi Crassipedis hortis.—*Ad Diversos*, i. 9.

† He seems, however, to have again revisited the metropolis before the 14th of December, in order to be present at the marriage of Milo and Fausta, the daughter of Sylla: "Romæ a. d. Calend. volumus esse: quid dico, volumus? immo vero cogimur. Milonis nuptiæ," &c.—*Ad Attic.* iv. 13.

eyes by the majority of the public, who were disgusted with the ambition and covetousness which prompted a man, now in the sixtieth year of his age, to commence a contest of great difficulty and uncertain success, solely with a view to his own aggrandisement. The general discontent found a voice in the tribune Ateius, who threatened to interpose his negative on the occasion to prevent Crassus from leaving the city, and the departing leader was obliged, in order to avoid a serious tumult, to request Pompey to escort him to a short distance without the walls of Rome. But he did not by this means escape an interruption, which even to a modern reader does not appear void of a solemn and awful character. Ateius, it is related, had erected a small altar near the gate through which Crassus was obliged to pass, and on the approach of his train stood forward in the midst of the street, and forbade him, by his authority as tribune, to proceed. But on finding his interposition only treated with silent contempt, he is said, as if possessed by some malignant genius, to have taken his station by his altar, and after having kindled a censer from its flame and sprinkled incense upon it, to have invoked, with horrible imprecations, certain mysterious gods whose names it was unlawful publicly to pronounce, and to have deliberately devoted Crassus and his whole army to destruction. The procession was then allowed to proceed, but there is no doubt that the appalling ceremony just performed sank deeply into the minds of the troops, and possibly into that of their commander, and contributed in some degree to their subsequent discomfiture. The recollection of Flaminus, who, in former times, had left the city inauspiciously to command at the fatal battle of Thrasy-mene, might easily appear a parallel case. Crassus, however, pursued his way to Brundisium ; while, on the news of the approaching tempest, Ctesiphon and

Seleucia poured forth their tremendous archers towards the banks of the Euphrates, prepared to take fearful vengeance on their invaders as soon as they should appear, and to inflict upon the eldest of the ambitious fraternity who had so remorselessly sacrificed the peace of mankind to their private interests, the violent end which not one of them was destined to escape.

CHAPTER IX.

Consulate of Lucius Domitius Ahenobarbus and Appius Claudius Pulcher—Cicero commences his Treatise "De Republicâ"—Defends Vatinius and Scaurus—Orations for Plancius, Gabinius, and Rabirius—Letters to Trebatius and Quintus Cicero, respecting the Britannie Expedition of Cæsar—Disturbances at Rome—Triumph of Pontinus—Creation of Interreges—Consulate of Calvinus and Messala—Canvass of Milo, Scipio, Hypsæus, and Clodius—Tumults in consequence—Oration on the Debts of Milo—Clodius is slain by the Followers of the latter at Bovillæ—Insurrection at Rome—Pompey declared sole Consul—His New Acts—Impeachment of Milo—Oration of Cicero in his Defence—Milo retires to Marseilles—Prosecutions against the Clodian Faction—Cicero composes his Dialogue "De Legibus"—He is appointed to the Proconsulship of Cilicia, and sets out for his Province.

In the early part of the consulate of Lucius Domitius Ahenobarbus and Appius Claudius Pulcher,* which followed that of Pompey and Crassus, and while the last-mentioned general was yet in Italy, some attempts appear to have been made in the senate to effect his recall, which were rendered ineffectual by the misplaced zeal of his friends. Cicero, at least, in a letter addressed to him which is yet extant, speaks of having defended him to the utmost of his ability, both against the consuls for the year and several individuals of consular rank, in a late debate respecting

his command. The letter is replete with the warmest expressions of interest in his welfare ; and the writer requests that it may not be considered in the light of an ordinary epistle, but as a formal treaty of strict and lasting alliance *. He also speaks in the highest terms of Publius Crassus, whom he represents as having from his childhood revered and regarded him as a second parent. From all the incidental notices in history of this highly accomplished and noble-spirited youth, whose unhappy death Plutarch has described in his most able manner, it does not appear that among the many thousands who fell in consequence of the folly and infatuation of his father, Rome had to lament any citizen more deserving the regret of his countrymen.

Nearly at the same time was probably written the epistle of Cicero to Julius Cæsar†, at that time in Gaul, and preparing for his second expedition into Britain, recommending his friend Trebatius‡ to his notice. The departure from Italy of his brother Quintus, who had accepted the office of legate under the same commander, took place soon afterwards, and was followed by the retirement of Cicero for a short time to his villas near Cumæ and Pompeii, where, during this interval of leisure, he devoted himself to the composition of his elegant treatise “De Republicâ§,” towards which his attention was devoted for a great part of the year. The design of the work, in which

* Ad Diversos, v. 8.

† Ibid.

‡ The “docte Trebate” of Horace, to whom he has addressed the second satire of his second book. Trebatius was a person of considerable eminence at the Roman bar.

§ Commenced soon after vi. of the Ides of May (10th), and before the Kalends of June (1st). The work, which was originally intended to consist of nine, was subsequently written in six books, and published some time before the month of May, a. u. c. 703, æ. c. 51, as appears by the letter of Cælius. (Ad Diversos, viii. 1 ; *Pæsti Hellenici*, iii. 191.) That it was begun at the marine villa near Cumæ, may be inferred from the letter to Quintus, (Lib. ii. 14.)

the characters, Scipio Africanus, Tubero, Lælius, Mummius, &c., are represented as drawn, during a conversation in the gardens of the former respecting the atmospheric phenomenon of two suns which had been lately witnessed, to a discussion respecting the best form of a national government, was to exhibit the excellence of the Roman constitution in its best estate, as well as to represent its first origin, the steps by which it had advanced to maturity, and the eventful circumstances, after having been long tried by which, it finally rose triumphant, and perfected by the dangerous ordeal. With all its merits it is much to be regretted that this beautifully worded treatise is far from throwing that light upon the early history of Rome, which might have been expected from the talents of its author. Cicero seems to have given implicit credence to the common legends, current in his own and at a much later time, respecting the infancy of the Roman state; and incredible as the assertion would, until very recently, have appeared, it is nevertheless true, that by the more philosophic and accurate investigations of modern times, the most youthful student of history, removed by the space of nearly twenty centuries

Scribebam illa quæ dixeram, &c. "I was then employed upon the political treatise of which I had made mention, a weighty, to speak the truth, and comprehensive work. If it turns out according to my design, my trouble will be well bestowed. If not, I have but to cast it into the sea, which at ~~the~~ moment forms part of the prospect before me, and to turn my attention to something else, for to be unemployed is not in my nature." Of this famous treatise we have to lament the almost entire loss of the fourth, fifth, and sixth books, a few insignificant fragments of which alone, if we except the *Somnium Scipionis*, are embedded, like portions of primary rocks in more recent strata, in the works of Lactantius, Nonius, Augustin, &c. Owing to the researches of Angelo Maio, however, almost the whole of the first, the greater part of the second, and considerable remains of the third book are yet preserved for the curiosity and instruction of succeeding ages.

from the time of Cicero, possesses a more extensive knowledge of the true nature of the early constitution of Rome, than the greatest of her sages and philosophers could acquire, while her power and renown were in their zenith. The reader will, perhaps, hardly need to be reminded, that the highly imaginative and philosophic "Dream of Scipio," one of the most noble fragments of antiquity, and not excelled by any thing even in the flowing and magnificent compositions of Plato, formed originally part of the concluding book of Cicero's Republic.

In the midst of such pursuits he was recalled to the metropolis, where he spent a great part of the summer, engaged in a variety of causes, which, if of no great importance in themselves, were sufficient for some time to occupy the whole of his attention. Among these we find mentioned in his letters a dispute between the corporation of Reate and the people of Interamna, who had widened the outlet of the Lake Velinus into the Nar, to the great detriment of their neighbours, by increasing the drainage to the plain of Rosia. At Reate, which he calls an Italian Tempe, this cause was pleaded before the consul Appius and ten commissioners, and determined in sufficient time to allow the orator to be again at Rome before the conclusion of the Apollinarian games*; on appearing at which, he states that he was received with loud applause by the assembled multitude. His defence of Messius, one of the lieutenants of Cæsar, who had been recalled from Gaul to take his trial, succeeded, and was followed by that of Drusus, Vatinius†, and Æmilius Scaurus; the first accused under the law against what was termed prevarica-

* Celebrated on the 5th of July.

† Drusus and Vatinius were defended on the same day, as appears from Ep. ad Quint. ii. 16, towards the end of July or in the beginning of August.

tion, or betraying the interests of a client ; the second of extortion, exercised in the province of Sardinia ; and the third of bribery and corruption. All of these were acquitted, but the pleadings in the several causes have perished, with the exception of part of the oration for Scaurus, which is among the discoveries lately made in the Ambrosian library, and a few detached sentences of little interest quoted by commentators*. The defence of Vatinius brought no small scandal upon his advocate, since Cicero had made him the mark of his most vehement censure no long time before ; but it is yet to a great extent doubtful, whether the convictions or the principles of the orator were proved to have been altered by his undertaking the protection of his former adversary, his pleadings on the subject being almost entirely lost.

In a letter to Lentulus, of much greater length than integrity would have demanded for its defence, he attempts to explain this inconsistency, as well as the singular fact of his having not only lately appeared in the character of counsel for Vatinius, but even as a witness in his favour. The hollowness of his excuses, however, is greatly to be suspected, and the true motive for his conduct but too likely to be found in his wish to rise in the esteem of Cæsar, of whose ambition Vatinius had long been the abandoned instrument. Nor can the careless levity which is exhibited in the only remaining passage of his speech in the cause, on a point of vital consequence to his own honour, be considered in any other light than as tarnishing his character, by any but his most devoted panegyrists. His subserviency to the designs of the triumvirs, already complete, was, in fact, now

* Judgment was given in the case of Scaurus, according to Asconius, on the 11th of September. See Schütz, *Annotationes in Ciceronis*, Frag. p. 230.

called daily to display itself more openly, especially by the master spirit of that confederacy, who having long ago found out his most vulnerable point, continued with singular dexterity to avail himself of it. His vanity was first flattered by the extraordinary honours and attentions bestowed by Cæsar on his brother Quintus, and afterwards by communications to himself, couched in the most respectful and friendly terms. "I imagine," he writes to Atticus about this time, "by letters from my brother Quintus, that he is now in Britain. I am extremely uneasy till I hear from him. There is, however, one point at least which I have gained. From clear and repeated intimations, I learn I am on the most affectionate and amicable terms with Cæsar."

The defence of Plancius appears to have followed that of Scaurus*, and is a highly creditable record of the gratitude of Cicero towards one who had formerly befriended him in a season of distress. While Plancius was quæstor of Macedonia in the memorable period of his exile, he had found at Thessalonica, under the protection and countenance of this generous friend, a safe and honourable place of retreat, with every act of kindness which could tend to soothe him under the pressure of his misfortune, or enliven the despondency by which his troubled spirit was overcast. It was now in his power to return the obligation, and he was not wanting to the opportunity. Plancius, after being elected to the office of ædile, was accused by Marcus Juventius Laterensis, an unsuccessful candidate, of undue influence and bribery during his canvass, and of forming associations for the purpose of carrying his election by the same unfair means, contrary to the enactments of the Licinian law. By the exertions of Cicero, however, the accusation, which was one of the most serious

* Ad Quintum, iii. 1.

kind, was rendered ineffectual. The speech delivered on the occasion yet remains, and does honour not only to the talents of the advocate, but to the sentiments of the man. It had the further merit of having been delivered after recent conduct on the part of Plancius, not altogether correspondent with his former friendship. Yet, in the recollection of Cicero, the obligations conferred upon him in his exile seem alone to have found a place. All other considerations were either really or ostensibly neglected in his conduct of the defence, in which it is not impossible that his own self-distrust, and the fear of allowing any late causes of estrangement to operate to the disadvantage of his client, had a considerable share in producing the exceeding zeal for the interests and honour of his client, which is conspicuous through the whole oration. His subsequent pleadings in favour of his old enemy Gabinius, cannot be considered as equally worthy of commendation. That unjust and rapacious oppressor, on the instant of his return from his province of Syria, was fiercely assailed by a host of prosecutors, who were eagerly watching the moment of his arrival at Rome to commence a series of legal processes against him. He had no sooner entered the city, therefore, which he did with all imaginable privacy, although he had shortly before boasted his intention of demanding a triumph from the senate, than he was impeached on three several grounds: first, for offences against the majesty of the state, or, in other terms, for high treason, in daring, with the assistance of the troops entrusted to his command, to re-establish Ptolemy king of Egypt in his dominions, contrary to all religion and the public decree against it, and for quitting, for that purpose, the province under his government, which was thus exposed to the inroads of numerous and dangerous enemies; secondly, for

plunder and spoliation committed by him in Syria and elsewhere; and, thirdly, for the common offence of bribery and corruption, a charge which now seems to have constituted part of almost every indictment. At his trial upon the first of these counts, in which he was acquitted, Cicero appeared against him as a witness;—on his appearance to answer to the third, as his strenuous advocate. For an explanation of such a remarkable contradiction in conduct, we need seek no other evidence than his own. The interference of Pompey was sufficient to render him the defender of the very criminal against whose character he had formerly hurled every epithet of abhorrence which his imagination could supply; respecting whose liability to his censure, in its most powerful shape, no doubt seems to have existed; and of whom he speaks in terms of unmeasured disgust and contempt, even at the very moment while he appears to have been meditating his rescue from the laws which he had so shamelessly and repeatedly violated. The eulogists of Cicero have sometimes urged his appearance in behalf of Gabinius as a proof of his placable and forgiving disposition. On the testimony of his correspondence, it may much more safely be received as a fresh instance of his servile submission to the ruling powers. Nor does he himself seem to have been inclined to consider this part of his conduct in the same light as some of his admirers. “There is no republic—no senate—no justice—no dignity in any of us,” is his comprehensive and candid avowal; and humiliating as the confession is, the practical commentary upon it would hardly justify us, so far as Cicero is concerned, in an attempt either to contradict it or to limit its meaning. Yet the integrity of the judges before whom Gabinius was tried was greater than that of his new advocate, and with whatever eloquence the oration in his defence, which has since perished, might have

been replete, it was insufficient to counteract the stubborn evidence of the facts urged against him.

The last cause in which Cicero was engaged during this year of almost unremitting exertion, was that of Caius Rabirius Posthumus; a member of the equestrian order, accused under the Julian law against extortion by Caius Memmius, as well as of treason against the republic. Rabirius was supposed to have received the sums advanced by Ptolemy to Gabinius for the services of the præconsul in effecting his restoration, and to have strenuously counselled the employment of the Roman troops on that expedition. It was, at least, well known that he had resided in Alexandria as the agent of the king in the collection of his taxes, and that, during his stay in the city, he had assumed the Egyptian habit. The defence was grounded, first, upon the assumption that the Julian law did not extend to the equestrian order; and, secondly, on the fact of Rabirius having advanced considerable sums of money towards defraying the expenses of Ptolemy at Rome, which, it was represented, rendered his residence at Alexandria necessary for the recovery of the debt. In pursuing this line of argument, Cicero was exposed to the heaviest censures of the counsel for the prosecution, who openly accused him of acting entirely by the direction of Pompey, and at variance with the dictates of his own conscience. His answer to the charge, taking credit for generosity towards those who had once acted in the most bitter spirit of opposition towards him, and asserting that he felt no compunction in acting upon the maxim, that enmities should be mortal and friendships indissoluble, is much more remarkable for point and speciousness than for sincerity*.

His letters, written during the brief opportunities

* Pro Rabirio Posthumo, xii.

which presented themselves for corresponding with his friends amidst the labour and excitement necessarily attendant upon the management of so many important causes, contain frequent and interesting references to Cæsar's second invasion of Britain, as well as to his present relations with that leader. To Caius Trebatius he writes in a manner which shows, that the tempestuous charge of the British warriors and their novel method of fighting, which had been duly reported at Rome since the termination of the first campaign in the island, were subjects of considerable apprehension to those who had friends engaged in the expedition. "Take care *," he suggests half jocosely, "that, with those habits of caution of yours, which you have learned to exercise in other matters, you do not fall into an ambush of the enemies' charioteers; and since I have begun to quote from the Medea, let this passage be constantly in your mind:—That he possesses wisdom to little purpose, who is not wise for himself." To his brother Quintus he writes soon afterwards†:—"How delightful was your late epistle respecting Britain! I feared the ocean, I feared the hostile coast. What yet remains before you, I am far from despising, although it appears to me to hold out a prospect of hope, rather than apprehension." To Trebatius, who had been left behind in Gaul on the sailing of the invading armament, he addresses himself in a style of polished and playful satire on the circumstance‡. "I have perused your epistle," he observes, "from which, I understand, that you are considered a thorough lawyer by our friend Cæsar §.

* Ad Diversos, vii. 7.

† Ad Quint. ii. 16. It will be seen, that the chronology of Philiz has been followed in the references to these epistles.

‡ Ad Diversos, vii. 10.

§ "Ergo, no soldier, and therefore left behind;"—such, at least seems to be the point of the allusion.

You have reason to congratulate yourself on being quartered in a country where your knowledge appears something considerable. But had you passed over into Britain; in all that immense island, you would, most assuredly, have looked in vain for one more learned in the law than yourself. To continue the jesting strain in which I have begun: I must confess myself rather envious of your being voluntarily summoned by Cæsar to an audience, while no one else dares to hope for such a mark of favour; not from any pride on his part, but from the multiplicity of his engagements. Yet in the whole of your letter you have mentioned nothing of your private concerns, which are, I protest to you, a subject of no less interest to me than my own. I very much fear you will find your winter-quarters sufficiently chilly, and therefore advise you, in common with your friends Mucius and Manilius, to be careful in maintaining a blazing hearth, the more especially as you do not possess a very extensive military wardrobe*, although we hear that you have at present work enough to keep you warm without the help of additional clothing. The intelligence would have greatly alarmed me for your safety, did I not know that you were much more cautious in warfare, than in your pleadings. This much, at least, I deduce from the fact, that fond as you are of swimming, you have shown no inclination to peril yourself upon the ocean, and as little to witness a real battle of charioteers, whereas, at Rome, we could never contrive to cheat you of a single exhibition of mounted gladiators †."

* Melmoth's translation is somewhat different. Trebatius was at this time quartered at Samarobriva, the modern Amiens.

† In the original "andabata." By way of exciting the brutal merriment of the Roman mobs, the gladiators known by this name are said to have engaged in mortal combat mounted on horseback, and blindfold.

In a following letter to his brother Quintus*, he states :—" I now come to the subject of your epistles, of which I received several while at Arpinum, since no less than three were delivered to me in one day, all of them, as it seems, despatched by you at the same time. You mention the exceeding attachment of Cæsar to myself. Continue sedulously to cultivate his friendship. I, for my part, shall exercise myself in every possible way to advance his interests. As to your assertion, that you are daily rising in his favour, I receive the intelligence with a joy which will be equal in duration to my own existence. Concerning the operations in Britain, I am, it seems, to understand that there is nothing to dread, nor anything to afford a subject of congratulation. Your fourth letter, dated from that island, the ninth of August, was delivered to me on the thirteenth of September. There was little of novelty in it besides the mention of your tragedy of Erigone, upon which, if I receive it from Appius, I will shortly let you know my opinion. I have no doubt that I shall be much gratified by it. While folding up this communication, I have received fresh despatches written on the twenty-second of August, that is, within twenty days after their date. Unhappy subject of trouble that I am ! What grief have I felt from the endearing letter of Cæsar ! But precisely in proportion to the pleasure which I received from the delightful expressions of his friendship, was my sorrow on account of his misfortune." The allusion in this sentence was probably to the recent death of Julia, the wife of Pompey and daughter of Cæsar, in child-bed ; an event equally calamitous to her husband, her parent, and her country, and to which the letter in question most probably referred.

* Ad Quintum, iii. 1.

The departure of Cæsar from the island in which he had only succeeded in establishing, after the expenditure of so much blood and treasure upon its reduction, a mere nominal and momentary submission to his arms, is also not without a place in the same rich and varied correspondence. In the second epistle of the third book of his letters to his brother Quintus, he says :—"Cæsar forwarded a despatch to me from Britain, on the first of September, which I received on the twenty-eighth of the same month. His intelligence respecting the late operations in the island is satisfactory enough. He desires me to feel no surprise at not hearing from you, since you were not with him during his march towards the coast. To this letter I have made no reply, not even for the purpose of congratulation, out of respect to his late affliction." And afterwards, in a letter to Atticus :—"I am informed by my brother Quintus of almost incredible instances of Cæsar's affection towards me, and this is confirmed by the most flattering letters from Cæsar himself. The end of the expedition to Britain is confidently expected, for it is certain that our footing in the country is now secured by the most astonishing fortifications*. This, also, is certain, that there is not

* Melmoth renders the passage "We are impatient for the event of the Britannie expedition. All we know for certain is, that the island is fortified with amazing rocks." Yet, with all due respect to that elegant scholar, it may be observed, that his translation is scarcely warranted by the connexion of the *causa* in the original. The words of Cicero are, "*Britannici belli eventus expectatur. Constat enim aditus insulæ esse munitos mirificis molibus*." No notice, therefore, is taken of an important particle. There can be little doubt, that, by the "*mirificæ molis*" are to be understood the works for the protection of his fleet and army which are mentioned by Cæsar — (*De Bello Gall. v. 11.*) "*Ipse etiam res erat multæ operæ et laboris, tamen commodissimum esse statuit omnes naves subduci et cum castris unâ ignitione conjungi. In his rebus circiter dies x. consumit, ne nocturnis quidem temporibus ad laborem militum intermissis. Subductis navibus castrisque egregie munitis,*" &c. Such

a single particle of silver in the island*, nor any hope of booty, unless in the way of slaves, and of these you will not expect, I presume, any skilled in letters or music." He subsequently writes:—"I received on the twenty-fourth of October†, letters from Cæsar, and my brother Quintus, dated the twenty-sixth of September. The British war is finished, since hostages have been given by the natives, and the payment of a sum of money commanded; but nothing has been acquired in the shape of booty. They were then on the point of embarking their men."

This is the last mention made of the operations of the Romans in Britain by Cicero; and, although repeatedly quoted, and very generally known, the remarks of Dr. Middleton upon the contemptuous character of his general observations upon the country, are so eloquent and forcible, as to leave no excuse for their omission. "From the raileries of this kind on the barbarity and misery of our island, one cannot help reflecting on the surprising fate and revolutions of kingdoms. How Rome, once the mistress of the world, the seat of arts, empire, and glory, now lies — words would not have been applied by a general like Cæsar, accustomed to fortifications upon a most stupendous scale, to any light undertaking, and an impregnable post having been thus secured for the reception of supplies, as well as a strong basis for operations, the subjugation of the island would be considered as a matter of course in the eyes of a Roman. Dr. Middleton's translation appears nearer the truth:—"We are in suspense about the British war; it is certain that the access to the island is strongly fortified," &c. As to the works themselves, they have, probably, long since been buried under the waves of the British Channel.

* Similar information is conveyed in a prior letter to Trebatius. (*Ad Divicos*, vii. 7):—"I hear that there is neither gold nor silver in Britain; if this is the case, I would advise you, as soon as possible, to seize one of their chariots and hasten back to us." The mineral productions of Britain were better understood in the time of Tacitus:—"Pert Britannia aurum et argentum, et alia metalla pretium victorie."—*Vita Agric.* xii.

† *Fasti Hellenici*, iii. 190.

sunk in sloth, ignorance, and poverty, enslaved by the most cruel, as well as most contemptible of tyrants,—superstition, and religious imposture; while this remote country, anciently the jest and contempt of the polite Romans, is become the happy seat of liberty, plenty, and letters, flourishing in all the arts and refinements of civil life: yet running perhaps the same course which Rome itself had run before it, from virtuous industry to wealth, from wealth to luxury, from luxury to an impatience of discipline and corruption of morals; till, by a total degeneracy and loss of virtue, being grown ripe for destruction, it falls a prey, at last, to some hardy oppressor, and, with the loss of liberty, losing every thing else that is valuable, sinks gradually again into its original barbarism." Yet, there seems little reason to indulge an apprehension of the occurrence of any such contingency as the writer of this justly admired passage seems to have contemplated. The peculiar reasons for the past decline and present destitution of Rome, are sufficiently numerous to be obvious to the most superficial observer. If no empire can a second time rise to the same lordly height of dominion, none is assuredly destined again to sink so low; and to augur a similar fate to nations which are daily becoming more thoroughly leavened by a vitality, which that haughty power, even when called to act the part of tutress of the world, could neither acknowledge nor appreciate;—while, moreover, that darkness by which alone despotism can be established or perpetuated is every day rolled back to a greater distance, by the increase of intellectual and religious light, would be to assign to negative principles a force which they neither claim nor possess. It is only when one part of the earth, and that not the most powerful, is far advanced in civilisation and wealth before the rest, that its luxury becomes

dangerous to itself. It is only when held by a single hand that the torch of refinement is liable to be struck to the earth and extinguished. The tendency of society is now permanently to advance, not to retrograde*; rather to raise the decayed states of antiquity to a condition far preferable to that of their once boasted greatness, than to add others to the list of the fallen; and if the existence of a republic of enlightened nations, considering themselves in the light of pledges for each other's safety, and conscious that an injury done to one must infallibly induce the detriment of all the rest, was a phenomenon unknown to the earlier ages of the world, it is one which may certainly be expected to present itself before the history of many more generations is to be added to the records of the past.

A poem in honour of Cæsar by Cicero*, and a description in verse, by his brother, of the principal events of the British expedition†, both of which are mentioned in his correspondence, and seem to have been finished at about the same period, would have been invaluable treasures if they had been preserved to modern times. The latter, amidst the dangers and fatigues of the service in which he was engaged, seems not to have lost a moment which could be devoted to his favourite studies; since he is recorded as having completed four tragedies, probably translations, in sixteen days‡; a truly marvellous facility of composition. Cicero seems, on his part, to have been led to similar pursuits, by the vain hope of dispelling the sense of lost independence and present subjection, by ardently devoting himself to studies wholly unconnected with public affairs; but the obtrusive feeling does not appear to have been banished by the charm of letters, and his epistles continue to lament the subservience to his powerful friends or

* Ad Quint. ii. 16.

† Ad Quint. iii. 1.

‡ Ad Quint. iii. 6.

masters, by which his self-esteem, it is to be feared, was at least as much wounded as his patriotism. He also alludes to a resolution he had formed of accepting the commission of legate under Pompey in Spain, lately offered to him, in which he was sufficiently in earnest to fix the day of his departure from Rome. The interference of Cæsar, however, who was endeavouring to detach him from the interests of his rival by means of his brother Quintus, had the effect of inducing him to decline the appointment.

In the exercise of that easy credulity by which he was made a dupe by the artifices of powerful flatterers almost to the latest hour of his life, he exclaims on this occasion to Atticus:—"Observe the closeness of my most endearing friendship with Cæsar; for I am delighted to boast of having preserved at least one plank amidst the general wreck of my fortunes. Ye Gods! what especial marks of honour and dignity, what favour does he bestow upon our Quintus. If I were myself commander-in-chief, I could do no more. Cæsar, as I am informed by his letters, allows him the full power of selecting his own winter-quarters for his legion*. Is it possible that you can refrain from loving such a man? Whom, let me ask, of the opposite faction will you find like him†?" While Cicero was thus surrendering his better judgment to the dictates of his vanity, Rome was the scene of occurrences which were not without their influence in leading the minds of men to the contemplation of absolute authority lodged in the hands of a single individual, as a remedy for the intestine disorders by which the

* Compare Cæsar *De Bello Gall.* v. 24,—*unam (legionem) in Morinos ducendam C. Fabio legato dedit; alteram in Nervios Q. Ciceroni.*

† *Ad Attic.* iv. 18.

Peace of the city had been for years interrupted, and to which there now seemed no prospect of a termination. Instances of the most flagitious corruption were daily brought to light. The four new candidates for the consulship,—Memmius, Domitius, Scaurus, and Messala, vied with each other in open and extravagant bribery. The spirit of party rose to a furious pitch; and the tribunes of the people, after hindering the comitia from taking place up to the time of relinquishing their office, left it with the election of the magistrates yet undecided. During the interregnum, the city was witness to a novel scene of contention, in the form of a triumphal entry disputed at the sword's-point. Caius Pontinus, who had reduced the Allobroges to submission, was the officer who, for the first time since the foundation of Rome, had to fight his way to the Capitol on such an occasion, and to mingle the horrors of actual warfare with the pomp of its mimic pageantry. After patiently waiting for five years in the suburbs in expectation of a triumph, which was refused him by the senate, he was enabled at length to establish a title to the honour, by virtue of a law from the people. The result was an attempt on the part of the opposite faction to impede him by force of arms, and its repulse by the resolution of the armed adherents by whom he was accompanied.

Amidst such commotions, a dictatorship was frequently mentioned, and pronounced to be the only means of saving the state from destruction. Pompey was pointed out by the party who had raised the cry as the fittest person to be elected to the office, and, according to Cicero, expressed no unwillingness to accept it. For more than six months longer, the return of the chief magistrates continued to be postponed,—the new tribunes acting with the same firmness or obstinacy as their predecessors; with the

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design of ultimately forcing the dictatorship upon Pompey upon the people, a measure which they more than once formally proposed. During the whole of this period of confusion, the usual expedient was adopted, of creating from the patrician body a fresh "interrex" every five days, that there might be some public authority under whose auspices the comitia might be held, if suffered to proceed. By the advice of the late tribune Marcus Cato, it was at length deemed fitting to put a stop to the existing disturbances: and Cneius Domitius Calvinus and Marcus Valerius Messala, after being elected consuls, were allowed peaceably to enter upon their office. Their magistracy was long remembered for the intelligence which arrived, not long after its commencement, of the terrible blow inflicted upon the power and reputation of Rome, in the disastrous rout of Crassus and his army by Surena, the lieutenant of Orodes, king of Parthia. Besides the loss of the unfortunate commander in this ill-advised expedition, and his son Publius, who fell by the hand of his armour-bearer, to avoid the captivity which threatened him, the commonwealth had to lament that of thirty thousand of its best troops, either killed or taken prisoners*, and the ignominious flight of as many more who were driven back in scattered bodies upon the Euphrates, with a horror of the Parthian arrows which long continued insurmountable†. No such disgrace had fallen upon the Roman legions since the days of Cannæ and Thrasymene; but the extent of the calamity was not to be measured by the number of those who had fallen in the field, or the

* Plutarch. in Crass.

† Crassus is supposed to have been defeated some time in the month of June, in the year A. U. C. 701, B. C. 53, on the fifth of the Ides (the 9th), according to Ovid. See *Fasti Hellenici*, iii. 192.

degree to which the prowess of the conquered fell, as a necessary consequence, in the estimation of surrounding nations. By the death of Crassus a rupture between the surviving members of the triumvirate, the way to which had been partly prepared by the decease of Julia the wife of Pompey, was rendered certain. Each saw from henceforth but a single rival in his advance to absolute power. The policy of Crassus, which might be considered as that of the more wealthy and pacific members of the community, had no longer a representative or an advocate of sufficient weight to impose a check upon the fierce spirits who severally espoused the interests of two leaders, nearly equal in military reputation and actual strength; and with the removal of the last restraint which prevented the secret jealousies of the opposite parties from bursting out into actual hostilities, occasions were not slow in occurring to tempt their long suppressed violence into furious and unlimited action. One of the less important consequences of the defeat of the Romans in Parthia was the admission of Cicero into the augural priesthood, in which a vacancy had occurred by the fall of Publius Crassus. He was opposed in his canvass by the tribune Caius Hirrus, but the efforts of his competitor were seen from the beginning to be hopeless, and on the nomination of Pompey and Hortensius, backed by the universal approbation of the whole college*, he was elected to an honour reserved, for the most part, for the most eminent among the aristocracy alone, and considered one of the most important dignities of the state.

If the consular elections which ended in the return

* The College of Augurs consisted of fifteen members, who held the dignity of a priesthood for life, unalienable by any crime or misconduct. The augurs were at this time chosen by the people. It was, however, necessary that each candidate should be nominated by two persons already belonging to the body.

of Calvinus and Messala had been scenes of pernicious excitement from the prevalence of the madness of party, the attempts which were made under their auspices in the ensuing autumn to return magistrates for the following year, far exceeded them in the outrages committed by the rival factions. Three candidates, Annius Milo, Metellus Scipio, and Plautius Hypsæus, presented themselves for the consulship, while the notorious Clodius avowed his intention of standing for the office of prætor. Clodius, at the same time, bent all his efforts to frustrate the canvass of Milo, and took the same means to prevent his election to which he had so often had recourse before. The comitia were interrupted by the violence of his armed partisans, and after the consuls had been seriously injured by stones hurled at them in the tumult*, the assembly was dissolved in confusion. Neither the bribery, however, which was carried forward on a scale of insane extravagance, nor the violence by which it was accompanied and covered, was confined to one party. Milo, who had already wasted three estates upon the exhibition of games and gladiatorial combats to the people, prepared, under the frenzy naturally engendered to a greater or less degree by the prospect or occurrence of a contested election, to lavish a sum equal to about a quarter of a million of pounds sterling† on an enter-

* Cicero de *Ære alieno* Milonis.

† *88ε μάλιστά οὐκ ἐτ' ἀνεκτός* qui ludos H. S. ccc. comparet. (Ad Quintum, iii. 9.) Mention is also made of the extensive preparations of Milo for his games in the preceding epistle. (iii. 8.) As this was written not long after the eighth of the calends of December, the exhibition probably took place in the spring of the subsequent year, 701, before the election of the consuls, and consequently before Milo was *professedly* a candidate for the consulate the next year. The intention of those who were determined upon standing for that honour were generally known long prior to the commencement of their canvass. It may be observed, that with

tainment, the magnificence of which he hoped would place him far above all his rivals in the favour of his fellow-citizens. He had, however, a formidable competitor in Hypsæus, who having once served Pompey in the capacity of quaestor, and at all times devoted himself to his interests, was backed by the full influence of that popular leader. The year having terminated without the possibility of holding the comitia without interruption, the expedient of creating interreges was again proposed, but was unable to be effected, in consequence of the furious disputes which took place upon the subject. Cicero, on whom Milo had conferred so many obligations, although he appears to have been absent from Rome during some part of the year, devoting himself to literature, and deriving his principal enjoyments from the retirement of his villas and the society of his youthful son and nephew, was by no means an unconcerned spectator of the contests carried on at Rome. Independently of his gratitude, his own fears prompted him to take a deep interest in the success of his friend, since the rival candidates, Hypsæus and Scipio, were wholly under the influence of Clodius. His epistle to his friend Curio, on the return of the latter from Asia, shows with what spirit he was mingling, at the time of its date, in the disputes which were agi-

the letter in which mention is made of the extravagant entertainments of Milo closes, to the regret of all interested in this period of history, the correspondence of Cicero with Quintus. Whatever his occasional disingenuousness to others might be, to his brother he always seems to express the genuine convictions of his judgment, and the undisguised feelings of his heart. Yet even this means of communicating his real thoughts seems, in his last letter, about to be circumscribed by his timid subjection to the existing authorities. "How cautious," he writes in the epistle referred to, "I wish you to be in writing, conjecture from this, that I do not even communicate to you my sentiments respecting the existing disturbances, lest this letter, if intercepted, should give offence to the mind of some one."—*Ad Quintum*, iii. 9.

tating the capital. "I have centred," he asserts, "all my energies, labours, anxieties, every effort of my industry, and every device of my mind, my whole soul, in a word, upon the return of Milo to the consulship, and have come to the conviction that I ought to exert myself in such a manner as to obtain not only the satisfaction of having performed my duty, but the praise of piety. Nor do I think that his own safety and fortunes ever appeared of greater consequence in the eyes of any individual, than the honour of that man in mine, with whose efforts my interests are wholly embarked. We have in our favour the best wishes of the good, secured by his conduct in his tribunate, (that is, as I hope you will readily understand, by his exertions in my behalf)—those of the common people, gained by the magnificence of his public shows and the liberality of his disposition—those of the youth and the more active and influential in our elections, by the expectation of their benefiting in turn from his well-known influence and activity on such occasions—lastly, my own suffrage and interest, which, if no very powerful assistance, is at least deserved, and justly conferred; I may also add, on that account, perhaps likely to be not without its weight with the public. All we require is a leader and adviser, who, like a skilful pilot, may show us how to avail ourselves of these favourable blasts; and were we to have the power of selecting one from all mankind, I know not whom we could compare in aptitude for this office with yourself*." But his exertions in favour of his friend were not limited to requesting the assistance of others in his behalf. In the beginning of the year ensuing, A.U.C. 702†, he

* Ad Diversos, ii. 6.

† Patet autem ex ipso argumento quo anno dicta sit hæc causa, nempe anno U.C. dccii., quo item anno et Clodius deinceps occisus est.—*Angel. Maius in Orat. de Ær. al. Mil.*

delivered in the senate-house his oration respecting the debts of Milo; a speech, of which a few sentences, with an ancient commentary upon them, have been latterly discovered, but which, until brought to light by the researches of the able and industrious scholar by whom so considerable a portion of the philosophic works of Cicero has been rescued from oblivion, was not even suspected to have had an existence. By the mutilated argument to this oration it appears that Milo, in an assembly of the senate convened for the purpose of interfering to prevent the scandalous violence of Clodius and his faction, was assailed by his adversary in a bitter speech, accusing him of having made a false return of his debts*, and glancing at Cicero, in terms far from unintelligible, as his grand aider and abetter in this fraud, as well as in the course of bribery which he was charged with pursuing. What effect the reply of the orator, who instantly rose to repel the accusation, produced, it is impossible to conjecture, since no notice is taken of this circumstance by ancient historians; but judging from the scattered phrases of the invective which yet remain, it was behind none of the former speeches against the same pertinacious opponent, in descriptions of his well-known profligacy, for the purpose of holding up the errors of his former life to abhorrence.

The contest upon which so much time, expense, talent, and perseverance had been employed, was des-

* Milo, it appears, gave in the whole amount of his liabilities at "sestertium sexagies," or six millions of sestertii, nearly 50,000*l.*—*Argument. ad Orat. de Ær. alien. Mil.* Pliny, however, (*Nat. Hist.* xxxvi. 24,) states that he owed no less than "sestertium septingenties," or seventy millions of sestertii, about 560,000*l.*, which he considers, as he well might, "inter prodigia humani animi." From the same author we find that his antagonist, Clodius, was not much behind him in extravagance, since he inhabited a house purchased at "sestertium centies et quadragies octies," nearly fifteen millions of sestertii, or 120,000*l.*

ted to terminate in a manner very little expected by any of the parties engaged in it. While the disturbance, excited by the factions of the rival candidates, was yet at its height, and while the whole city resounded with the noisy enthusiasm of their respective followers, or with the more serious uproar of their by no means bloodless skirmishes, Milo departed from Rome, on the afternoon of the 20th of January, intending to pay a short visit to Lanuvium, a small town in Latium, about sixteen miles from Rome, of which he was the dictator, or chief magistrate. His wife Fausta and his friend Marcus Fusius were seated beside him in his chariot, while a long train of mounted attendants followed, together with a few gladiators, among whom were Birria and Eudamus, two champions well known in the arena. As this imposing band was slowly defiling along the Appian way, it was met at a short distance from the village of Bovillæ, and near a small shrine dedicated to the Bona Dea, by Clodius, who was returning on horseback from Aricia, accompanied by C. Cassinius Schola, a Roman knight, two of the plebeian order, P. Pomponius and Caius Clodius, and about thirty servants, mounted like himself and armed with swords. As the two companies endeavoured to pass each other, some confusion was naturally occasioned, which ended in a quarrel between the rearmost of both sides, in which the gladiators of Milo took a conspicuous part. Clodius, obeying the impulse of his captious and haughty disposition, immediately turned at the sounds of dispute, and riding towards Milo's party, began to make use of threatening language towards Birria, to which the exasperated gladiator replied in the manner of his savage profession, by a thrust of his weapon, which took effect in the shoulder of his reviler. Clodius was immediately carried into a tavern by the road side, and his followers, un-

sheathing their swords, commenced a desperate attack upon the retainers of Milo, which soon increased to a general combat. Fiercely as this was maintained for a short time, the Clodians were soon borne down by the superiority of numbers, and either slain outright, or forced, after receiving severe wounds, to fly into the nearest places of concealment. Milo, then, under the equal excitement of passion and apprehension, being well aware that the escape of Clodius, under existing circumstances, was infinitely more to be dreaded than his death, commanded him to be torn from the house which had afforded him a temporary refuge, and despatched without mercy. His orders were executed almost as soon as pronounced, and the wretched exciter of so many civil broils, now fated to perish by the same means of destruction which he had often used against others, was dragged forth into the road and pierced with repeated wounds*. The body was suffered to remain for some time unremoved, and exposed to the wonder and curiosity of passing travellers, until it was recognised by Sextus Tædus, a Roman knight, on his return from the country to the city, who, after causing his attendants to raise it from the ground and place it in his own chariot, sent it forward under

* Eleven servants of Clodius are said to have fallen in the affray, as well as the landlord of the tavern, who was murdered either in attempting his rescue, or by the ferocity of Milo's gladiators, who, in the excitement of their fury, were little likely to discriminate between an adversary and an inoffensive spectator. Mr. Eustace, speaking of the scene of this memorable encounter, says, "On the side of the hill, on or near the site of the ancient Bovillæ, stands a tavern, the very same, if we may credit tradition, into which Clodius retired when wounded, and from which he was dragged by Milo's attendants. Near the gate of Albano, on the side of the road, rises an ancient tomb, the Sepulchre, as it is called by the people, of Ascanius, but in the opinion of antiquaries, that of Clodius himself. It is entirely stripped of its ornaments and external coating, and has no other claim to the traveller's attention than its antiquity."—Classical Tour, vol. i. p. 436.

their care to Rome. About nightfall, the news of what had happened pervaded the capital, and was corroborated by the arrival of the corpse of Clodius, which was immediately exposed, naked and bleeding, in the atrium of his house to the public view, and attended by Fulvia his widow; who, like one of the tragic Furies, with dishevelled hair and maniac gestures, mingled the wild lamentations which she uttered over the body with imprecations against the murderers of her husband, and appeals for vengeance directed to the surrounding crowd. From every quarter of Rome immense multitudes continued, throughout the ensuing night, to flock to the spot, and by day-break, the dense assemblage of human beings had increased to a frightful extent; several persons, and among them one of senatorial rank, being crushed to death amidst the fluctuations of the densely compacted mass. Amidst the general commotion, the tribunes Munatius Plancus and Pompeius Rufus made their appearance, and advised that the body of Clodius should be borne, exposed as it was, from the Palatine hill, on which his house was situated, into the forum; where, as soon as it was deposited on the rostra, the angry passions of the multitude were raised to uncontrollable fury by inflammatory harangues delivered by both magistrates in succession. At the instigation of Sextus Clodius, the brother of the deceased, a funeral pile was constructed beneath the porch of the neighbouring curia, or senate-house, of seats, tables, and public records brought hastily together. This, when kindled, necessarily involved the conflagration of the whole building; and the adjoining basilica of Porcius, an erection of great beauty, catching fire from the burning edifice close beside it, was soon afterwards enveloped in flames, the heat of which was so intense as finally to drive the tribunes from the rostra. After

this opening act of the insurrection, the multitude poured in different directions to storm the houses of Milo and of Marcus Lepidus, the latter of whom had just been created interrex; but they were saluted at the instant of their first desperate onset by the inmates of both, who had received sufficient warning of their approach, with a flight of arrows from the roofs, delivered so rapidly, and with such certain aim, as to compel them first to slacken, and soon after to abandon their assault altogether. Having been repulsed at these separate points of attack, they again united, and with the fasces, snatched from the temple of Libitina, borne before them, proceeded first to the houses of Scipio and Hypsæus, and afterwards to the gardens of Pompey, with loud clamours for the immediate creation of a consul or a dictator. From this moment, however, the popular excitement, having exhausted itself in violent efforts, without a fixed object or a sustaining cause, began to abate almost as rapidly as it had risen. A reaction even showed itself, caused by the indignation of an immense number of the citizens at the late destruction of the public buildings, and by the close of the same day appearances were so much more in his favour, that Milo, who had at first meditated withdrawing into voluntary exile, had sufficient courage to re-enter the city, where, on the following morning, he was again seen in the white robe of the candidate, distributing his largesses among the citizens. He was even produced shortly afterwards, by the tribunes Cælius and Canianus at a public assembly, and vindicated by them in set speeches, which were received without any marks of disapprobation. The excesses of the different factions of the aspirants for the consulate continued, in the mean time, unabated; until it was at length determined by the senate to issue the final decree, that the interrex, in conjunction with Cneius Pompey and

the tribunes of the people, should take care that the commonwealth received no detriment. A momentary calm was produced by this decisive step, and by the terror of the levies which instantly took place throughout Italy to enforce it; and at the first moment at which there was a prospect of justice being administered as before, two Clodii, both bearing the præ-nomen of Appius, the nephews of the late Publius Clodius, demanded that the slaves of Milo should be given up to torture, according to the detestable regulations of Roman jurisprudence, that information might be gained from them for the foundation of a criminal information against their master. Milo, however, in apprehension of such a movement, had taken the customary method of eluding it, by previously manumitting all the attendants in his train on the day of the death of Clodius, avowedly under an impulse of gratitude for the preservation of his life by their means. The friends of Milo, Cælius and Canianus, at the same time retorted, by demanding, in their turn, that the households of Hypsæus and Quintus Metellus, together with all the slaves of Clodius who had survived their encounter with those of Milo, should be put to the question; to ascertain whether the deceased had not met his end, in pursuance of a design against the life of his rival, deliberately planned and attempted to be carried into effect.

Such was the state of affairs when Pompey, by the general resolution of the senate, was elected on the 7th of February sole consul by the interrex Sergius Sulpicius, and entered with promptitude on the duties of his office. His first step was to produce two laws to the people, the one bearing especial reference to the acts of violence which had lately been witnessed in Rome and its vicinity; and the other to the open bribery which had disgraced

the existing contest for the consulate. By both, the judicial proceedings in the case of any one accused of either of the offences against which they were directed, were rendered much more summary than was usual, since but three days were allowed for the production of witnesses, and five hours for the speeches of the advocates engaged in the prosecution or the defence. These new acts, which were violently opposed by the tribune Marcus Cœlius, were no sooner passed, than the accusation of Milo was confidently expected as a consequence. Pompey, indeed, was believed to have projected them for the sole purpose of effecting his ruin, by which the consulate would necessarily be left open to Hysæus; and his whole conduct was such, as greatly to strengthen the suspicion. Under pretence of dreading the open violence of Milo, he retired to his gardens, which were surrounded by a strong body of military kept constantly under arms, and, on one occasion, held a meeting of the senate in the portico of his private residence, as if he had been apprehensive of a design of forcibly interrupting its deliberations. Fresh charges, wholly unfounded, were constantly brought forward in the senate and in the assemblies of the people by the partisans of Scipio and Hysæus against the rival faction; and after the public mind had by every art been inflamed against them, a quæstor or instigator of consular rank was proposed, by another law of Pompey, to be appointed for the purpose of taking cognisance of the offences mentioned in his recent statutes. Lucius Domitius Ahenobarbus was selected to fill this office by the general vote expressed at the comitia, and, immediately after his return, was met by an application to fix a day for the trial of Milo; who was impeached by the two Clodii for illegal violence, by Quintus Petulcius and Lucius Cornificius for bribery, and by Publius Fulvius Neratus for aiding, contrary to the

law upon the subject, in the formation of combinations, or committees, for the support of his interests at the consular elections. With some difficulty the accused obtained the postponement of the two latter charges until the more serious indictment should be disposed of, and with cool intrepidity began to make preparations for his defence; using none of the means generally adopted by persons in similar circumstances, to move the compassion of the multitude, by wearing his hair long and in disorder, or assuming a sordid vest. His principal difficulty was to find an advocate of sufficient courage to encounter the rising storm of obloquy which threatened any one who should profess the intention of undertaking his cause. On this point, however, his perplexity was speedily removed, by the offer of the most able assistance which the whole Roman bar of that or any age could have afforded him. Notwithstanding the frowns of Pompey, and the clamorous threats of the Clodian faction—notwithstanding the open display of the weapons of the adherents of the opposite candidates for the consulate, and the prospect of future as well as present peril—(since the tribune Plancus threatened to impeach him, if he did not desist from his undertaking, as the accomplice and confederate of Milo) Cicero, nobly forgetful of his immediate interests, and equally disregarding the displeasure of his patrons, the advice of his party, and even the suggestions of his natural timidity, pressed forward to the side of the friend who, on former occasions, had done him such effectual service, and proffered his aid in taking the principal management of the proceedings for his defence.

Since the commonwealth of Rome had possessed a name and an existence, no trial had ever excited such intense interest as that now at hand. The whole of Italy had been agitated by the spirit of party, for

which the capital had afforded the great focus of action, and so extensive was the participation in the feeling which had prompted the late disturbances, so general the apprehension that they were only preparatory to much more serious results, that even Cæsar paused in the midst of the levies he was making for the further prosecution of his victorious career in Gaul; doubtful whether the disturbances at Rome would not call for the advance of his legions in that direction, to ensure the public tranquillity*. On the very first day of the proceedings, the fury of the Clodian party broke out in a manner in the highest degree alarming. The leading witness examined for the prosecution was Cassinius Schola, who had in his evidence endeavoured, as much as possible, to exaggerate the violence of the adherents of Milo, and added numerous circumstances of gratuitous atrocity to the death of their victim. Marcus Marcellus then rose to cross-examine him in behalf of the defendant, but was received with such a tempest of yells, execrations, and threats, that, in the immediate apprehension of being torn to pieces by the multitude, he hastened to take refuge upon the very tribunal of Domitius. These disorderly proceedings were, however, promptly remedied by Pompey, who, on the next day, presented himself in the forum with a sufficient guard to impose some degree of restraint upon the conduct of the surrounding crowd. The trial was now suffered to proceed without interruption. Se-

* Cæsar, ut constituerat, in Italiam ad conventus agendos profisciscitur: ubi cognoscit de P. Clodii cæde;—de senatusque consulto certior factus, ut omnes Italie juniores conjurarent, delectum totâ provinciâ habere instituit.

His rebus in Italiam Cæsari nuntiatis, quum jam ille virtute Cn. Pompeii urbanas res in commodiorem statum pervenisse intellegeret, in Galliam Transalpinam profectus est.—This was preparatory to the famous campaign against Vercingetorix.—*De Bello Gall.* vii. 1—7; *Fasti Hellenici*, iii. 192.

veral witnesses from Bovillæ were produced, who testified to the main circumstances in the murder of Clodius. The vestal virgins were brought forward to give evidence that an unknown female had presented herself before them with a votive offering on the part of Milo for the death of his adversary, and the case for the prosecution was closed by the testimony of Fulvia, whose tears and lamentations made a deep impression upon the sympathies of the assembly.

As in the course of the ensuing day it was imperative upon the advocates on both sides to finish their pleadings, and upon the judges to give their decision, the tribune Munatius, before the populace began to disperse, addressed them in a set speech, desiring them to be punctual in their attendance on the following morning, and not to suffer the accused to escape by any repugnance in expressing their feelings of just grief and resentment. In consequence of this harangue, which was followed by other indications of an approaching tumult, Pompey, in the course of the night, took possession with his soldiers of all the approaches to the forum, and planted strong guards in every temple and public building from which a view of it might be obtained. His own tribunal he caused to be erected in a conspicuous place in front of the *ærarium*, or treasury, and ordered a chosen detachment to be drawn up around it. With the dawn of day the whole of Rome was in motion, and hastening towards the place of trial. Every shop was closed,—every kind of business suspended,—and but one feeling of intense anxiety and eager expectation pervaded the immense population poured forth to witness the decision of the famous cause which had so long occupied their attention. As the selection of fresh judges, in the place of those who had presided during the production of the evidence, went forward by the ordinary

method of drawing lots, a dead silence sank upon the forum and its countless occupants, amidst which the elder Appius Clodius, Marcus Antonius, and Valerius Nepos*, spoke in succession, for the space of two hours, on the side of the prosecution. Cicero then rose to reply. From the importance of the question,—the magnitude of the interests at stake,—the dignity and number of his auditors,—and his own well-known sentiments of deep hatred towards Clodius, and friendship for the individual accused of his assassination,—it was anticipated that his genius was now about to shine forth in a manner which would surpass, in brilliancy and effect, every previous exhibition of its resources. The public expectation, however, experienced a singular disappointment. Cicero had been conveyed by his attendants to the forum in a close litter, with a design to avoid the sight of any object which could tend to discompose his mind on an occasion when his highest efforts would be requisite. But when, on descending from this conveyance, he was saluted with the hoarse murmurs and uproar of the Clodian party,—when he beheld the dense multitude before him waving like an agitated sea with the violence of its emotions,—every eminence around him glittering with the arms of Pompey's troops, and, high above all, the presiding general, seated on his tribunal amidst the imposing insignia of Roman dignity, and surrounded by the full pomp of banners and military ensigns,—the heart of the orator is said to have utterly sunk within him, beneath the influence of that baneful timidity which had darkened the genius of his great Athenian prototype on an occasion of equal moment ; and than which the prompt imagination and ready voice of

* *Asconii Argumentum orationis pro Annio Milone* :—from which most of the preceding particulars, relative to the death of Clodius and impeachment of Milo, are taken.

eloquence have not a more subtle or a more powerful foe to encounter. In the commencement of his pleadings he is described, by his own testimony as well as that of others, as having always exhibited a considerable degree of nervous trepidation; but at this momentous crisis, the feeling amounted to an almost entire forgetfulness of the arrangement of his arguments, and the graces of language with which he had intended to invest them. His speech was, in consequence, comparatively feeble and unimpressive, and very different from that masterly oration so well known under the name of the Defence of Annius Milo. Had it, however, been delivered as it at the present moment exists, and with every advantage which the most finished action and utterance of the speaker could have given to its majestic period, the event of the trial would probably not have been different. Milo was condemned by a considerable majority of his judges* ; and, following

* By the existing law on the subject, (the *Lex Aurelia Judiciaria*,) the judges were at this time selected from the senators, equites, and *ærarian* tribunes;—the latter of whom were officers appointed to give out the money for the payment of the armies, and always chosen from among the plebeians. The three orders were therefore represented, though not equally; since of the eighty-one judges appointed at the trial of Milo, twenty-eight were of the senatorian, twenty-seven of the equestrian, and twenty-six of the plebeian degree. Before sentence was passed, both plaintiff and defendant had the liberty of challenging and withdrawing five individuals from each order. This, of course, left fifty-one for the ultimate decision of the cause. The numbers of those who voted for the acquittal and condemnation of Milo are given as follows by *Asconius*.

	FOR THE ACCUSED.	AGAINST.
Senators,	6	12
Equites,	4	13
Ærarian tribunes, 3		13 ^a
	13	38 = 51.

Majority against Milo, 25.

It is also recorded, on the same authority, that the speech of Cicero was delivered on the 3d of the *Ides* of April (11th).

the usual custom of his countrymen, prevented their sentence by retiring into voluntary exile. He is recorded to have borne his misfortune with singular equanimity and cheerfulness ; qualities of his disposition which have been most probably long familiar to the reader, through the medium of the common tradition, that when furnished by Cicero with a finished and correct copy of the speech intended for his defence, he merely observed after perusing it :—" It is fortunate for me that this oration was never actually spoken ; for had it once been delivered, I should have been prevented from enjoying the flavour of these excellent mullets at Marseilles*." His close connection with Cicero, and the prominent part he for a short time played in the history of his country, may be considered as justifying some degree of curiosity as to the latter part of his career. On this head, however, the testimonies of historians are by no means diffuse, and in some respects contradictory. That he afterwards returned to Italy, and that he met with his death from the blow of a stone under the walls of a fortress he was besieging, while exerting himself in support of the cause of Pompey against Caesar, (having been induced to take part against the latter, on account of his omitting him alone from a general summons to all exiles to repair home,) appears certain. The town of Compsa, in the territory of the Hirpini, has been mentioned by one writer as the spot before which he fell ; but a far better authority asserts that the place in question was Cosa, a strong citadel of Lucania†, situated in the Ager Thurinus.

*—λέγων οτι ἐν τύχῃ αὐτῷ ἐγένετο, τὸ μὴ ταῦθ' οὕτω καὶ ἐν τῷ δικαστηρίῳ λεχθῆναι οἷα γὰρ ἂν τοιαύτας ἐν τῇ Μασσαλίᾳ τρίγλας ἐσθλῆιν εἴπερ τι τοιοῦτον ἀπελελόγητο.—Dio, Hist. Rom. xi.

† Ille (Cælius) clam nuntius ad Milonem missis, qui Clodio interfecto a nomine erat damnatus, atque eo in Italiam evocato, sibi conjunxit.

Without considering how far the usual laws of criticism on such subjects are to be applied to a speech which must be considered rather as a testimony of what the orator might have done, than of what he actually performed, it may be observed, that on the intrinsic merits of the famous defence of Milo, there never has been, and probably never will be, more than a single opinion. For condensed argument, clearness of arrangement, the power of appreciating and bringing to bear upon the point to be established the slightest incidents, and of seizing upon and amplifying every shadow of inference which might lead to the advantage of the accused, as well as for the felicitous adaptation of the most suitable words to the soundest reasoning, it is unsurpassed even in the compass of the only writings of antiquity where a rivalry of its excellences might be looked for,—the writings of Cicero himself. The design of the advocate is to establish a counter-accusation, and to prove that the death of Clodius was not the effect of a casual meeting, but the result of a deeply-laid plan on his own part for the murder of Milo; and the skill with which his design is worked out is truly remarkable. His graphic and picturesque description of all the circumstances calculated to exempt his client from the suspicion of a premeditated attack,—the mixed train by

Interim Milo, dimissis circum municipia litoris, ea quæ faceret jussu atque imperio facere Pompeii—quos ex ære alieno laborare arbitrabatur sollicitabat. Apud quos cum proficere nihil posset, quibusdam ergastulis solutis Cosam in agro Turino oppugnare cepit. Eò quum a Q. Pedio prætoris cum legione lapide ictus esset ex muro periit.—*Cæsar de Bello Civ. iii. 22.* This event, according to Pliny, (*Nat. Hist. ii. 57.*) had been prognosticated a year before by a shower of wool. A still more remarkable deviation, however, from the laws of nature is gravely recorded, by the same writer, as having taken place during the trial of Milo,—a storm of burnt bricks.

which he was accompanied,—the presence of his wife Fausta, her female attendants and choristers,—the cumbrous character of the vehicle in which he was seated, together with that of the dress which he wore, and which had nearly cost him his life when called upon to defend himself against the sudden attack of his intended assassins, (although these points of advantage might demand no extraordinary genius for their discovery,) has been often and deservedly praised, as well as the skilful opposition to these particulars of the arms and light equipment of the well-mounted troop of Clodius, equally provided for offence and for flight,—his sudden and apparently uncalled for departure from Rome to Aricia—his equally sudden return, and his suspicious deviation from the road to visit the villa of Pompey*. The unfavourable conclusion which might have been drawn from the actual issue of the combat, is also ably eluded. “If,” says the orator, “it be asked why, while in possession of all these advantages, the party of Clodius was actually worsted in the encounter, I reply :—because it does not always happen that the traveller is slain by the hand of the robber, but the robber, occasionally, by that of the traveller :—because, moreover, Clodius, although assaulting with every previous preparation one wholly unaware of his approach, fell with all the

* *Res loquitur, iudices, ipsa ; quæ semper valet plurimum. Si hæc non gesta audiretis sed picta videretis ; tamen apparebit, uter esset insidiator, uter nihil cogitaret mali cum alter veheretur in rhedâ penulatus, unâ sederet uxor. Quid horum non impeditissimum ? vestitus, an vehiculum, an comes ? quid minus promptum ad pugnam, cum penulâ irretitus, rhedâ impeditus, uxore pene constrictus esset ? Videte nunc illum, primum degredientem e villâ subito ; cur ? vesperi ; quid necesse est ? tarde : qui convenit, id præsertim temporis ? Divertit in villam Pompeii ; Pompeium ut videret ? sciebat in Alaiensi esse ; villam ut perspiceret ? millies in eâ fuerat. Quid ergo erat ? mora et tergiversatio ; dum hic veniret, locum relinquere noluit.—Pro Milone, xx.*

weakness and timidity of a woman into the hands of brave men. Add to this the power of accident—add the uncertain issue of every contest, and the impartial arbitration of battle, by which the vanquished and prostrate foe often strikes to the earth the victor while indulging in the exultation of success, and in the very act of collecting the spoil—add, finally, the imprudence of the well-feasted and half-intoxicated leader of the band; who having left behind him, as he imagined, his enemy cut off from all chance of escape, thought nothing of the escort which followed in the rear, until having fallen among them while fired with resentment, and wholly despairing of the safety of their master, he was suddenly involved in the just retribution which faithful servants naturally exacted for that master's life." Nor in an inferior style is the beautiful appeal to the Alban heights, so long consecrated to the religious service of the Latins*, and to the desecrated shrines which had borne witness to the extensive worship presented in ancient times upon the spot, with the design of enlisting the superstitious feelings of his audience in his favour, while he represents in vivid colours the awful Jupiter Latiaris, and the whole host of minor divinities, (whose solemn groves and altars, grey with the moss of centuries, Clodius had sacrilegiously overthrown for the foundations of his villa,) as looking down with complacency upon his danger, and rejoicing in his

* Vos enim jam, Albani tumuli atque luci, vos, inquam, imploro atque testor! vosque Albanorum strato aræ, sacrorum populi Romani sociæ et æquales, quas ille præceps amentia, cæcis prostratisque sanctissimis lucis, subtractionum insanis inolibus oppresserat. Vestræ tum aræ, vestræ religiones vigerunt, vestra vis valuit, quam ille omni scelere polluerat. Tuque ex tuo edito monte, Latiaris sancte Jupiter, cujus ille lucus, nemora, finesque sæpe omni nefario stupro et scelere macularat, aliquando ad eum puniendum oculos aperuisti. Vobis illæ, vobis, vestro in conspectu, cæræ, sed justæ tamen et debitæ pænæ, solutæ sunt.—Pro Milone, xxxii.

late but well-merited punishment. The testimony extracted by the question from the slaves of Clodius, is also confuted in a manner which might have been expected to destroy for the time to come, from the criminal code of Rome, that absurd, monstrous, and appalling method of inquiry ; in reference to which we learn incidentally from the speech of the orator, that the household of the deceased had been kept for a hundred days past in close and solitary confinement, and brought forth from time to time in a building called in mockery the hall of Liberty, to be subject to fresh torments, till depositions should be obtained from them satisfactory to the relations of Clodius. If any fault is to be found in an address possessed of so many merits, it must be with the peroration. To a modern taste, the prosopopœia of an individual uttering the most patriotic sentiments through the medium of his advocate, while the person represented is known to have stood quietly by, listening to the formal representation of his own thoughts and resolutions, must appear too theatrical and artificial to be effective. But if this observation be thought hypercritical, it will at least be allowed that the idea, even if unexceptionable in the first instance, has been drawn out and enlarged upon to an extent, which materially impairs the general strength of the oration.

The impeachment of Milo was succeeded by that of his friend Marcus Sautius, accused of being one of the most active in exciting the train of Milo to storm the house at Bovillæ in which Clodius had taken refuge. In this cause Cicero again presented himself against the Clodian faction, as counsel for the accused, in conjunction with the tribune Cœlius, and had the satisfaction of finding his efforts crowned with better success ; since Sautius, although twice brought to trial on different accounts, was on both

occasions acquitted. The new law was then directed against the opposite party, and Sextus Clodius having been impeached for the prominent part he had taken in directing the late excesses at the tumultuous funeral of his relative, was, to the great satisfaction of the better disposed among the citizens, in his turn found guilty. Scipio and Ilypsæus were then accused under the late act against bribery. The former was rescued by the interposition of Pompey, who requested of the senate, as an especial act of favour, that they would allow him to be exempted from prosecution; and crowned this singular manifestation of partiality by marrying his daughter Cornelia, and declaring him his colleague in the consulate during the remaining months of the year. Ilypsæus, who had only past claims upon his favour to produce, was left to experience the full rigour of justice. The next subjects of impeachment were selected from the Clodian party. The tribunes Plancus and Bursa, who had been amongst its most active and mischievous supporters, were summoned to prepare for their trial the moment their office had expired, the former being accused by Cælius, and the latter by Cicero. Both were condemned to exile, although Bursa was defended by all the influence, as well as the countenance of Pompey, who appeared in person as his advocate.

At the brief seasons of relaxation afforded during these proceedings, Cicero, whose rest was only change of intellectual exertion, is believed to have composed his treatise "*De Legibus*." The scene of this dialogue, in which the speakers are Cicero, his brother Quintus, and his friend Atticus, is laid by the still and sequestered waters of the Liris* and Fibrenus,

* "The reader who delights in classical appellations, will be pleased to hear that this river still bears its ancient name, till it passes the city of Sora; that the Fibrenus (still so called) falls into it a little below that city, and continues to encircle the little island

beside the walls endeared to the writer as the former residence of his ancestors*, and the whole work seems to reflect the calm and subdued beauty of the quiet autumnal season in which it was probably composed. The ultimate principles of one of the sublimest studies which can engage the attention of the human mind ;—those of a science which is entrusted, to a far greater extent than any other, with the most important temporal interests of mankind ;—on the slightest deviation of whose balance depends the happiness or misery of thousands ; and which bases its principles and grounds its appeal upon one of the imperishable attributes of Deity itself,—are the subject of this striking specimen of the kind of investigations to which many of the great and wise of antiquity devoted the moments won from the more harassing pursuits and engagements of public life. Three books alone remain of the six originally composed. The first two are devoted to the introduction of the inquiry, and the establishment of the great rules by which the practice of jurisprudence

on which Cicero lays the scene of his second dialogue ‘*De Legibus*,’ and describes with so much eloquence. I must add, that Arpinum, also in the vicinity of the Fibrenus, still retains its name, ennobled by the birth of that most illustrious Roman.”—*Classical Tour*, vol. ii. 470.

* With what harmony and justness of expression is this feeling described!—“*Marcus*. Ego vero cum licet plures dies abesse, præsertim hoc tempore anni, et amicitiam hanc et salubritatem sequor; raro autem licet. Sed nimirum me aliâ quoque causâ delectat quæ te non attingit ita.—*Atticus*. Quæ tandem ista causa est?—*Marcus*. Quia, si verum dicimus, hæc est mea et hujus fratris mei, germana patria: hinc enim orti stirpe antiquissimâ sumus; hic sacra, hic genus, et majorum multa vestigia. Quid plura? Hanc vides villam, ut nunc quidem est, latius ædificatam patris nostri studio; qui cum esset infirmâ valetudine, hic ferè ætatem egit in literis. Sed hoc ipso in loco, cum avus viveret, et antiquo more parva esset villa, ut illa Curiana in Sabinis, me scito esse natum. Quare inest nescio quid, et latet in animo, ac sensu meo, quo me plus hic locus fortasse delectet; siquidem etiam ille sapientissimus vir, Ithacam ut videret, immortalitatem scribitur repudiâsse.”—*De Legibus*, ii. 2.

should at all times be directed*. The third treats of the duties of the Roman magistracies as at that time constituted, and the wisdom which had prompted the creation, and decided upon the provinces of the several members, of that body. The three following, —which, had they yet existed, must, from the nature of their contents, comprising the opinion of Cicero as to the best objects, forms, and provisions of legal enactments, and his judgment respecting the established code of his own country, have been far more valuable than those which contain the mere exordium and first entrance upon his plan,—have unhappily perished.

His attention to literary pursuits was, however, now about to be interrupted by a necessity, which called him to a scene of life hitherto wholly untried ; and compelled him to exchange the scenes he had just been describing with so intense a perception of their influence, for a temporary residence in a distant country. By one of the provisions of Pompey's laws against bribery it was ordained, that no prætor or consul should, from henceforth, be appointed to any province, until five years had elapsed from the expiration of his office. The provision in itself was certainly wise and salutary, since it was calculated to prevent, by postponing the enjoyment of the prize which was the real object of dispute among those who sued for the higher magistracies at Rome, the inordinate eagerness and unbounded corruption which attended such contests, and the thoughtless extravagance which, for the most part, preceded them. It was, however, at the same time, sufficiently partial, since Pompey was allowed to retain his government

* The definition of justice, clearing it from abstract and intangible speculations, and referring it immediately to its only intelligible source, the will of a sovereign and perfect Being, is at once noble and correct. "*Quamobrem lex vera atque princeps, apta ad jubendum et ad retandum, ratio est recta summi Jovis.*"—*De Legibus*, ii. 4.

of Spain, and Cæsar that of the Gauls. In consequence of this regulation, Cicero, since the appointments of fresh magistrates to the provinces were to be filled from persons who had some time previously enjoyed the consular dignity, was forced to accept the government of Cilicia, a charge for which there is little doubt that he entertained a hearty aversion. Yet, as on this occasion he was convinced of the propriety of sacrificing his own feelings to the general good, he did not hesitate to comply with the command of the senate. A force of two legions, which at that time might have amounted to twelve thousand men, together with about twelve hundred cavalry, was, by a separate edict, placed under his care for the protection of the province, which, besides Cilicia Proper, included the neighbouring countries of Pisidia and Pamphylia, the island of Cyprus, and the three dioceses or districts of Synnada, Cibyra and Apamea. After obtaining this decree and making such preparations as were necessary, he quitted Rome in the beginning of May, A. U. C. 703, and in the consulate of Servius Sulpicius Rufus and Marcus Claudius Marcellus; having previously written, according to usual custom, a complimentary letter to Appius Pulcher, his predecessor in the government of Cilicia, which is preserved among his correspondence, informing him of the resolution of the senate, and requesting his good offices towards lessening the difficulties which he naturally expected to encounter at his first entrance upon the duties of his appointment. He was accompanied by his brother Quintus, who had been allowed to act as his lieutenant, as well as by his son Marcus, his nephew Quintus, and his sister-in-law Pomponia; and pursuing his journey by way of Arpinum, Aquinum, and Pompeii*, to Cumæ,

* From his villa near Pompeii, he wrote the epistle to Atticus, (v. 1,) in which he gives a curious, but by no means agreeable, pic-

was there met by his friend and rival in eloquence, Hortensius, who took an affectionate farewell of him, and received his parting injunctions to use every means in his power to prevent his government from being continued to him for a longer time than the ordinary space of a year. From thence he proceeded through Beneventum * to Tarentum†, where he arrived on the 18th of May, and spent three days in the company of Pompey, who was then on a visit to the place. On the 20th of the same month, he set out for Brundisium. At this port he had determined to embark for Greece, but contrary winds‡ for some time prevented him from putting to sea; and he has mentioned an additional cause of delay, in the absence of his legate Pontinus, the well known conqueror of the Allobroges, on whose military skill he appears to have placed the greatest reliance.

CHAPTER X.

Jealousies between Pompey and Cæsar—Cicero at Athens—He arrives at Ephesus, and proceeds to Laodicea—Disinterestedness of Cicero—Invasion of Syria by the Parthians, who besiege Caius Cassius in Antioch—Cicero encamps at Cybistra—His Despatch to the Senate, giving Account of his Interview with Ariobarzanes—His Operations at Amanus—Letter to Atticus—To the Senate and People—To Marcus Cato—Reply of the latter—Disingenuousness of Cicero with respect to Appius—His Justice towards the Salaminians—Equitable Character of his Government—Cicero at Tarsus—He prepares to return to Italy—Lands at the Peiræus—Arrives at Brundisium, and proceeds towards Rome.

By the death of Clodius the attention of men, which had been occupied almost during the whole of

ture of a matrimonial dispute between Quintus and Pomponia; from which it appears, that whatever might be the disposition of the Roman matrons in general, the latter, like Cicero's own wife Terentia, was by no means the meekest of women.

* Ad Attic. v. 4.

† Ibid.

‡ Ibid.

his political career by his noisy and turbulent efforts against the peace of society, was now at liberty to be diverted to other intimations of discord, which having long continued to rise, in comparative silence, from a more distant quarter, had been hitherto disregarded amidst the scenes of tumult and confusion daily exhibited in the metropolis ; and which although, like the minute clouds which are said, in tropical climates, to rise before the most tremendous tempests, they might have at first appeared of little importance, were not on that account the less fearful prognostics of evil.

Since the death of Julia, and more especially after the marriage of Pompey with a daughter of the family of the Corneli, the already existing causes of jealousy between Cæsar and his late son-in-law had continued rapidly and constantly to increase. The lustre of six successful campaigns in Gaul had at length opened the eyes of the latter to the fact, that he had imprudently contributed to raise to eminence a leader whose military genius was likely to eclipse his own ; and, with this conviction, came the no less painful reflection, that although it would have been a task of little difficulty to suppress so formidable a rival at the outset of his career, the attempt, if now made, must be one involving much exertion, considerable time, and no small degree of precaution. While Pompey had been confidently reposing on the strength of his past services at Rome, too well contented with the universal homage paid to him to take any steps to increase it, Cæsar, under the appearance of yielding to him as his superior, and only enjoying the important position he occupied in the state by his favour, had been with consummate prudence turning every circumstance in his situation into a means of future advantage. By his constant wars in Gaul, a province considered too poor to be worthy the ambition of either of his confederates, he had,

by dint of incessant service, formed an army of veterans inured to toil and danger to an extent never before witnessed. The strong passes of the Alps, an incalculable advantage either towards the success of offensive or defensive operations, were in his hands; and the possession of Cisalpine Gaul enabled him to advance his troops within a formidable vicinity to the city without passing in any degree beyond the bounds of his legitimate authority. He had, besides, by a special law, been exempted from either giving up his command, or presenting himself in person at Rome, if he should think fit to sue for the consulate, and the important concession, as well as dangerous precedent, was not likely to be lost sight of in the future calculations of his ambition. This was clearly seen when certain attempts were made by a considerable party in the senate to dislodge him from his advantageous post, by proposing to send successors into the provinces under his command. His adherents in the capital had influence enough to make the question a subject of long and protracted debate; but the transfer of numerous cohorts to the Italian side of the Alps, on the first intelligence of the discussion, was a movement which promised little for his obedience to any command which might be ultimately issued for his recall. Pompey, who was perhaps the chief actor in what was probably intended at first only as an experiment upon the temper and resolution of his rival, still continued to wear the mask of moderation, and even, to a certain extent, of friendship towards him, by pretending occasionally to interpose in his behalf. But, notwithstanding this politic bearing, it was possible for all to discover, that between himself and his more daring and subtle competitor for dominion there was but an unsubstantial bond of union—a hollow truce—which would be unscrupulously broken the moment

its violation promised to conduce to the advantage of either.

While the minds of men at Rome were occupied with forebodings originating from these and similar considerations, the waters of the Ionian sea were studded with the sails of the squadron conveying Cicero and his escort towards the coast of Epirus, the first stage of his foreign destination. On the 15th of June he arrived (little anticipating the the celebrity which the spot was afterwards destined to acquire) at Actium, after having landed on his passage at Corcyra. Here the peril then thought to attend an attempt to double the dreaded rock of Leucate, appears to have determined him to perform the greater part of the rest of his journey to Athens by land. He reached that city on the 25th of June, and remained there ten days in the house of Aristus, a celebrated professor of the doctrines of the Academy, indulging in those philosophic disputations in which he was at all times delighted to engage, as well as in the contemplation of those unrivalled works of art, towards which the gaze of man was never yet turned without admiration, and which at that period were yet fresh with the impress of a beauty since softened into a less commanding, though perhaps no less powerful expression, by the mellowing hand of a partial decay. At Athens he was joined by Pontinus, and from thence wrote, at the instigation of the principal Epicureans, his letter to Caius Memmius*, at that time at Mitylene, dissuading him from following out his intention of building upon the spot yet occupied by the remains of the unpretending dwelling and school of the great founder of the sect of the Garden, which had been granted him by a decree of the Areopagus.

He set sail from the port of Peiræus on the 6th day of June, with a squadron of Rhodian, Mitylenian, and

* Ad Diversos, xiii. 1.

other vessels numerous enough to constitute a respectable armament, and passing by Ceos and Gyarus, the latter not yet peopled with the host of exiles who afterwards crowded its rocks, was carried by a brisk gale to Delos, where he remained for a short time wind-bound; and, as it appears, in no very good-humour with the flat-bottomed craft of Rhodes, which he represents as wholly incompetent to brave the heavy swell of the Ægean.

On the 22nd of June, or, as he has expressed it, five hundred and sixty days from the battle of Bovillæ *, he reached the coast of Asia, and landed at Ephesus, having previously touched at Samos †. He was received at his arrival in a manner which testified the extent and character of his reputation in that quarter. Multitudes had already poured into Ephesus from the neighbouring districts, influenced by the desire of beholding one whose wisdom and genius had ensured him the highest place as a statesman and philosopher, even in the estimation of distant nations, and now, on the first news of his approach, hastened to meet him with the same marks of respect which they would have shown to the actual prætor of the province. He records, with an honourable satisfaction, that these indications of esteem were not abused, as in too many cases, by any instance of extortion on his part, inasmuch as his journey to the Cilician frontier was not attended with the slightest expense to a single individual ‡. On the last day of July he was at Laodicea §, after passing through the city of Tralles, and might now be considered fairly within the limits of his government. His letters to Atticus, from both these cities, as well as from Ephesus, are replete with expressions *of disgust at the prospect of the employment before him, with repinings for the more extensive theatre

* Ad Attic. v. 13.

† Ibid.

‡ Ibid.

§ Ibid.

for his abilities presented by the metropolis, and with urgent requests to his friend to do everything in his power to prevent the prolongation of his office, of the commencement of which he requests him to take accurate note, in order to move for his recall at the earliest opportunity*.

It has been observed, by a writer equally distinguished by the acuteness of his judgment and the elegance of his language, that if the principle of liberty and due adjustment of power, by which alone liberty is constituted, prevailed in the heart of the Roman empire, the extremities of that mighty system were subjected to a tyranny of the worst possible description†. Numerous proofs of this have

* Per fortunas! quoniam Romæ manes, primum illud præfulci atque præmuni quæso, ut simus annui; ne intercaletur quidem.—Ad Attic. v. 13.—In provinciâ meâ fore me putabam Cal. Sextilibus. Ex eâ die, si me amas, παραγγυα ἐνιαύσιον κομμοῦνέτω.—v. 14.—Laodiceam veni pridie Cal. Sextiles: ex hoc die clavum anni movebis.—v. 15.

† Montesquieu, *Esprit des Loix*.—The most prominent evils of the Roman system of government abroad are, according to the custom of this great writer, summed up in a few words, but with masterly comprehension.—“Pendant que Rome ne domina que dans l’Italie, les peuples furent gouvernés comme des confédérés. On suivoit les loix de chaque république. Mais lorsqu’elle conquiert plus loin, que le sénat n’eut pas immédiatement l’œil sur les provinces, que les magistrats qui étoient à Rome ne purent plus gouverner l’empire, il fallut envoyer des préteurs et des proconsuls. Pour lors cette harmonie des trois pouvoirs ne fut plus. Ceux qu’on envoyoit avoient une puissance qui réunissoit celle de toutes les magistratures romaines; que dis-je? celle même du peuple. C’étoient des magistrats despotiques, qui convenoient beaucoup à l’éloignement des lieux où ils étoient envoyés. Ils exerçoient les trois pouvoirs; ils étoient, si j’ose me servir de ce terme, les bachas de la république.

“ Nous avons dit ailleurs que le même magistrat dans la république doit avoir la puissance exécutive, civile, et militaire. Cela fait qu’une république qui conquiert, ne peut guère communiquer son gouvernement et régir l’état conquis selon la forme de sa constitution. En effet le magistrat qu’elle envoie pour gouverner ayant la puissance exécutive, civile, et militaire, il faut bien qu’il

been already given in the present brief and necessarily limited history ; but were no evidence produced of the fact, it might easily be inferred from a simple consideration of the form of the provincial government exercised by the Romans. Cilicia, like too many other districts subjected to their despotism, had, when Cicero entered upon its management, been reduced to a deplorable condition of misery by the unprincipled oppression of a succession of rapacious magistrates, each eager to glean sufficient from the little left by his predecessors to enable him to spend the rest of his life in luxurious enjoyment ; and by the avarice and dishonesty of the principal farmers of the revenue, who, residing for the most part at Rome, entrusted the task of collecting it to sub-agents of the vilest character, generally conferring the appointment on the highest bidder, and, provided their own profits were secured, caring little by whom, or to what extent, the effects of their extortion might be felt. The apprehension of a war with a formidable neighbour was an additional ingredient in the sufferings of the country thus internally harassed and oppressed. The Parthians, exulting in their recent successes, were already pushing their advanced bodies across the Euphrates, and desolating, by means of their formidable cavalry, all the regions which bordered the opposite bank. It was hourly anticipated that the invaders would make their appearance in some one of the districts entrusted to the government of Cicero ; yet to defend his province from an enemy which had defeated one of the most potent armies ever sent by the republic into the field, he had at his disposal but the two legions, and

ait aussi la puissance législative ; car, qui est-ce qui feroit des loix sans lui ? Il faut aussi qu'il ait la puissance de juger ; car qui est-ce qui jugeroit indépendamment de lui ? Il faut donc que le gouverneur qu'elle envoie ait les trois pouvoirs ; comme cela fut dans les provinces romaines."—Liv. xi. chap. 20.

a small body of horse, originally voted him by the senate, to which he had in vain endeavoured to procure an addition, by applications made to that assembly while he was yet at Brundisium; and even of this force, he afterwards complained that three entire cohorts were wanting*. He was, however, able to rely upon a considerable body of auxiliaries from his province, and the whole army of Deiotarus, king of Galatia, a firm friend and ally of the Roman people. A letter written at this time to Atticus gives a striking picture of the unpromising aspect of affairs in Cilicia generally, as well as of the condition in which it had been left by his predecessor Appius.

“CICERO SENDS HEALTH TO ATTICUS.

“Although the messengers charged with the despatches of the farmers of the revenue were setting out for Rome while I was yet on my progress, I have contrived to snatch a brief opportunity to prevent the danger of your imagining that I have been unmindful of your injunctions, and have, therefore, sat down on the public road, briefly to mention a few particulars upon a subject which ought properly to be treated at a much greater length. Know then, that on the last day of July I arrived in a province reduced to the last condition of suffering, and all but ruined beyond recovery, in which my arrival had been most anxiously expected. Having remained for three days at Laodicea, as many at Apamea, and for the same space of time at Synnada, I have heard nothing in these several cities but pro-

* See, on this subject, the letter of M. Cœlius to Cicero. (*Ad Diversos*, viii. 5.) “Nunc si Parthus movet aliquid scio non mediocrem fore contentionem: tuus porro exercitus vix unum saltum tueri potest.” The observation which follows is in perfect accordance with the experience of all times:—“Hanc autem nemo ducit rationem; sed omnia desiderantur ab eo (tanquam nihil denegatum sit ei quominus quam paratissimus esset) qui publico negotio præpositus est.”

testations on the part of the inhabitants of their utter inability to pay the existing capitation-tax; complaints that every possession belonging to them had been sold; groans and lamentations on the part of public bodies; and relations of such acts of monstrous oppression, as would more become a ferocious brute than a human being. The people, in short, are weary of their very existence. Yet, in the depth of their wretchedness, they have derived some little solace from the circumstance that no contribution—whatever is exacted from them, either for myself, my legates, my quæstor, or any one of my attendants. Be it known to you, also, that I demand neither provender for my horses, nor firewood, nor any thing allowed by the Julian law*; with the single exception, that I require to be supplied by my hosts with four beds and a lodging—nay, sometimes not even this, since I occasionally am satisfied with the shelter of my tent. In consequence of such unexpected conduct, incredible multitudes throng to meet me, from the open country, the villages, and the neighbouring houses. My arrival seems everywhere to inspire a fresh life;—so much have the justice, the disinterestedness, and the clemency of your friend Cicero surpassed the anticipation of all. Appius, on the first news of my approach, thought proper to retire to the remotest part of the province, that is, as far as Tarsus, where he continues to dispense justice. We have no news of the Parthians, yet some persons who arrived at my quarters a short time ago, brought intelligence that a party of our horse had been cut off by these barbarians. Bibulus†

* The *Lex Julia de Repetundis*, passed in the first consulate of Julius Cæsar, A. V. C. 695, against exaction on the part of foreign magistrates. † This law contained more than a hundred separate counts; but little is known of the extent of the restrictions imposed by it.—See *Ernesti Index Legum in Cic.*

† The new proconsul of Syria.

does not seem to have yet dreamt of making his appearance in his government. This has been accounted for by a design which is imputed to him of quitting it so much the later. I am hastening towards my camp, from which I am at present distant two days' journey."

The Roman and auxiliary force collected by the order of Cicero was at this time stationed near the city of Iconium, in Lycaonia. Here, as soon as their general had arrived and reviewed his troops, he received the unwelcome news from Antiochus, king of Commagene, that the Parthians had crossed the Euphrates in force; and the intelligence was shortly afterwards confirmed by an express despatched by one of the petty princes in alliance with Rome, commanding a district beyond Mount Taurus, stating, that the principal strength of the enemy consisted in cavalry, and that Pacorus, the son of Orodes, was at their head. Little defence was made against the first burst of the invaders, the few Roman outposts in their road retreating successively before them, until they had penetrated far enough into Syria to invest Antioch, where Caius Cassius, afterwards the celebrated conspirator against Julius Caesar, was at that time stationed in garrison with the principal wrecks of the army of Crassus, having accompanied its ill-starred leader on his expedition as quæstor, and afterwards conducted the retreat of the Romans thus far, with consummate skill. Before the direction which the Parthian army had taken was fully known, Cicero, imagining that Cilicia was their object, hastened to take post in Cappadocia, through which his province was most vulnerable; and having advanced as far as the town of Cybistra, entrenched himself, in constant expectation of their appearance. His son and nephew, the younger Marcus and Quintus Cicero, were at the same time

entrusted to the care of Deiotarus, and escorted by him into his kingdom, where, as in a place of greater safety, it was intended that they should remain as long as the Roman army continued to keep the field. While encamped in this position, he was visited by Ariobarzanes, who had been declared, after the assassination of his father by his own subjects, king of Cappadocia by the Roman senate, and entrusted to the especial care of the proconsul of the neighbouring province. The objects and issue of the journey of this prince, as well as the operations which had preceded it, are thus detailed in the public despatch of Cicero on the occasion* :—

“ MARCUS TULLIUS CICERO, THE SON OF MARCUS, PROCONSUL, WISHES PUBLIC PROSPERITY TO THE CONSULS, PRÆTORS, TRIBUNES OF THE PEOPLE, AND SENATE.

“ After I had arrived in my government on the last day of July, having been unable to reach it sooner on account of the difficulties and delays which occurred during my voyage, and the bad condition of the public roads, I judged it most consistent with my duty, as well as most to the advantage of the republic, to make the necessary preparations for placing the military force of the province on as efficient a footing as possible. As soon as I had accomplished this, more by my own care and diligence than by the employment of any abundance of means at my command, I determined, since messengers and letters were arriving almost daily with intelligence respecting the irruption of the Parthians into Syria, upon directing my march through Lycaonia, Isauria, and Cappadocia ; it being strongly suspected that the invaders, if they should resolve upon abandoning Syria, and entering my province, would direct their course

* Ad Diversos, xv. 2.

through Cappadocia, the quarter in which it was most exposed. Having, accordingly, advanced through the regions of the above district which border upon Cilicia, I pitched my camp near Cybistra, (a town situated close to Mount Taurus,)—both that Artavasdes, the king of Armenia, whatever might be his disposition towards us, might know that an army of the Roman people was close to his confines, and that I might act in conjunction with Deiotarus, a prince influenced by a feeling of the utmost fidelity and friendship towards our commonwealth, whose counsels, as well as the resources at his disposal, were likely to prove of great service to the state.

“While I was encamped at this place, after having sent my cavalry into Cilicia, that the news of my approach, when announced among the cities in that direction, might confirm the inhabitants in their allegiance, and that I might have early intelligence of what was going forward in Syria, I imagined that the three days during which I continued stationary might be devoted to the performance of an important and necessary service. For since I had been enjoined by your authority ‘to protect king Ariobarzanes, surnamed the “Pious and well-disposed to Rome*,” to keep inviolate the safety of that monarch as well as his kingdom, and to act as a guardian both to himself and his kingdom;’ and since you had also added, ‘that the safety of the same king was an object of great concern to the senate and people,’ a compliment never yet decreed to any princes by our Order, I considered it my duty to convey the expression of your opinion to Ariobarzanes, and promise him my protection, amity, and ready services; that he might, understanding the interest you had evinced for his own welfare

* Euseben et Philorhomæum. Both these titles are yet to be seen on ancient medals of Ariobarzanes, which are inscribed with the legend ΑΡΙΟΒΑΡΖΑΝΟΤΞ ΕΤΞΕΒΟΤΞ ΦΙΛΟΡΩΜΑΙΟΤ.

and the peace of his kingdom; inform me if he had any occasion for our assistance.

“ After I had made a communication to this effect to the king in presence of my council, he, at the commencement of his reply, expressed his obligation in the strongest terms, as indeed was incumbent upon him, to yourselves in the first place, and afterwards to me; saying that it appeared a great and most honourable distinction that the senate and people of Rome had so deeply concerned themselves in his welfare, while it was also evident how entirely he might rely upon my expressions of friendship and the influence of the authority of your commendation, from the diligence I had already shown in advancing his interests. He, at the same time, to my great satisfaction, gave me to understand that he neither knew of, nor even suspected the existence of any secret designs either against his life or his regal authority. When I had congratulated him on this point, and expressed my joy at the intelligence, and finally exhorted him to remember the calamitous death of his father, to be vigilant in providing the means of self-defence, and to take, in pursuance with the advice of the senate, every means for the preservation of his safety, he took leave of me, and departed to the town of Cybistra.

“ On the day following he came once more into our camp, in company with his brother Ariarathes, and attended by several aged friends of his father, and with great signs of agitation and many tears, while his brother fully participated in his emotion, began to implore my assistance, on the strength of my promises and your recommendation. While I was wondering what sudden change of circumstances had induced this distress, he informed me that decided evidences of a dangerous conspiracy, which up to the present moment had been concealed, had been just laid before him; that those acquainted with it had

hitherto suppressed their information under the influence of fear, but in reliance upon my protection had now boldly revealed all the knowledge they possessed upon the subject. He moreover stated that his brother,* who possessed the greatest affection towards him, had informed him of a circumstance, which the informant referred to also acknowledged in my presence, namely, that he had been sounded by the confederates to ascertain how far his ambition of reigning in the place of Ariobarzanes might be relied upon, and assured that such an event could never take place while the latter remained alive; although, from a feeling of apprehension, he had never yet denounced those concerned in the plot. When he had finished speaking, I again advised the king to take every precaution for ensuring his security, and exhorted those friends about him, whose fidelity had been approved by the judgment of his father and grandfather, to defend, instructed by the terrible example of the murder of the former monarch, the life of his son by all the means of protection in their hands. But when Ariobarzanes proceeded to request that I would supply him with a guard of cavalry and infantry from my own army, although I had not only the power, but was even laid under the obligation of doing so by the tenor of your decree, I did not think proper to comply with the demand, inasmuch as the interests of the republic required, in consequence of daily despatches I continued to receive from Syria, that I should advance with my whole force to the confines of Cilicia; and as, moreover, since the conspiracy was laid open, it appeared to me that the king no longer needed the assistance of the Roman arms, but could defend himself by his own strength. I was therefore contented with advising him to make his own preservation his first lesson in the art of government, to use his absolute authority against those who were convicted of plotting

against him, to punish those who had deserved severity, and to set the rest free from apprehension, to use finally the safeguard afforded by my army, rather as the means of preventing than of suppressing a revolt, while I at the same time assured him, that as soon as the decree of the senate in his favour was known, all would understand that I should, whenever it might be necessary, be ready to afford him assistance in compliance with your injunctions. Having restored his confidence by such arguments, I decamped from the spot, departing from Cappadocia with the impression that, owing to your wise regulations, and by an almost incredible and divinely afforded accident, my approach had freed from the peril of a formidable plot a monarch whom you had voluntarily dignified with the most honourable title, commended to my especial care, and decreed to be the subject of your most anxious concern. The contents of this despatch I consider far from superfluous, that you may understand how great has been your prudence and foresight in taking precautions against an event which has all but actually happened, and that you may be assured on my part, that I have beheld those signs of virtue, fidelity and regard towards you in Ariobarzanes as to justify all the interest you have manifested in his defence and preservation."

On the receipt of more accurate intelligence respecting the direction taken by the Parthians, Cicero, thinking that Cappadocia was not likely to be threatened by their movements, resolved upon shifting his position to the frontiers of Cilicia, and accordingly decamping from Cybistra, led his army towards the ridge of Amanus, which seems to have been inhabited by a fierce and hardy race, whom Plutarch describes as maintaining the character for dishonesty, for which their nation was proverbial, by a regularly organised system of pillage against their neighbours. Yet their

undaunted and long-continued efforts to preserve the last spark of independence unquenched among their almost inaccessible rocks, is a circumstance which must excite some degree of sympathy for their ruin, and might perhaps render necessary, if it did not justify, the predacious habits for which they were notorious. Against these, since the Parthians were ascertained to be still far distant, Cicero decided upon turning his arms, and his account of his operations in this quarter, contained in a letter to Atticus, is as follows:—

“CICERO TO ATTICUS, &c.

“Early on the morning of the feast of the Saturnalia, I received the surrender of the Pindenissians, on the forty-seventh day after the commencement of the siege. The Pindenissians! you will exclaim; who the plague are these? for I never yet heard their name. What can I do to explain it? Is it in my power to turn Cilicia into Ætolia and Macedonia*? Be assured of this, however, that with such an army as mine, no such glorious exploits, as have been performed in these countries, could be effected here. This you will understand from the brief abstract of my proceedings which I now send you, availing myself of the permission contained in your last letter.

“In what way I approached Ephesus you already know: since you have congratulated me on that day of triumphant popularity, than which nothing in the course of my life has given me greater delight. From thence, after receiving wonderful tokens of respect in the different cities through which I passed, I reached

* *Saturnalibus mane se mihi Pindenissæ dediderunt, septimo et quadragesimo die postquam oppugnare eos cepimus. Qui, malum! isti Pindenissæ? qui sunt? inquires; nomen audiui nunquam.—Quid ego faciam? potui Ciliciam Ætoliæ aut Macedoniam reddere?—Ad Attic. v. 20.*

Laodicea on the last day of July. Having remained there two days, I constituted during that time the one object of admiration in that city; and, by my assurances of regard for the people, succeeded in eradicating the recollection of all former injuries. I afterwards halted at Apamea for five days, under the same circumstances; for three days at Synnada, five at Philomelum, and ten at Iconium. Nothing could be more just, nothing more gentle, nothing more dignified, than my jurisdiction in these places. From Iconium I proceeded to my camp, which I reached on the 26th of August, and, four days afterwards, held a general review of my army. From this position, since intelligence of a serious character had been received concerning the Parthians, I advanced towards Cilicia, by that part of Cappadocia which borders upon it, with the design that the Armenian king, Artavasdes, as well as the Parthians themselves, might understand that the road through Cappadocia was closed against them. After I had remained for five days in my quarters near Cybistra, I was informed that the Parthian army was at a considerable distance from that way of entrance into Cappadocia, and appeared rather to threaten Cilicia. I, therefore, led my forces in all haste into the latter province, through the defiles of Mount Taurus. I reached Tarsus on the 5th of October, from whence I proceeded to Amanus—a mountain ridge which divides Cilicia from Syria, pouring its streams into both districts, and, at that time, crowded with our perpetual enemies, of whom we slew great numbers on the 13th of October. We also took, and laid in ashes, some of their strongholds, although secured by formidable defences, by the advance of Pontinus against them during the night, which I seconded in person on the following morning. For this I was saluted with the title of

Imperator*. I then encamped for a short time on the very spot, in the neighbourhood of Issus, which was formerly occupied by Alexander, a general by many degrees superior to either of us. Having remained there five days, and completely ravaged and desolated Amanus, we withdrew our forces. You know that there exists a certain feeling termed panic, or vague and groundless apprehension in war†. By the news of my approach fresh confidence was given to Cassius, who was blockaded in Antioch, and a general terror inspired among the Parthians. They, therefore, resolved upon raising the siege; and Cassius, sallying out and falling upon them during their retreat, succeeded in gaining a signal victory. In the rout which followed, Osaces the Parthian general, a leader of great authority, received a wound of which he died a few days afterwards. My reputation was, in consequence, raised to the greatest height in Syria.

"Bibulus in the meantime arrived, and influenced, as I believe, by the ambition of being upon a level with me in the empty honour I had just acquired, began to seek for easily acquired laurels on that same

* This salutation, conferred by the Roman armies in the earlier wars of the republic upon their generals only after the most decisive successes, appears in the time of Cicero to have been bestowed on much less important occasions. Appian, who, however, flourished at a much later period, asserts that in his day, the title was never given to any commander unless ten thousand of the enemy had perished in the field. To be saluted Imperator was considered as introductory to the honour of a triumph.

† "Scis enim dici quædam *πάνικα*, dici item *τὰ κενὰ τοῦ πολέμου*," a passage of some ambiguity in its application, and which Melmoth does not seem to have very clearly rendered by—"There are beings which, though empty phantoms, appearing in the field of battle, spread fear and consternation." The allusion on the part of Cicero is no doubt to the panic terror caused to the invading army by the intelligence of his approach, which may have really decided the campaign in favour of the Romans.

ridge of Mount Amanus. He lost, however, the whole of his first cohort, Asinius Dento, a centurion of the first rank and great reputation, several other officers of the same division, and Sextus Lucilius, a military tribune, and the son of a man of great wealth and dignity. This, it must be owned, was an awkward defeat, whether we consider the actual mischief inflicted by it, or the juncture at which it happened.

"I then surrounded, with a regular line of circumvallation, the town of Pindenissum, which had always been considered as the strongest and most capable of defence of all the strongholds of the Eleuthero-Cilicians; and, having raised against it an immense embankment and tower, and assailed it with a great number of engines and hosts of archers, I succeeded in my attempt after excessive labour, extensive preparations, and many wounds received, although with little actual loss to the army. Truly, a joyful Saturnalia! I have given up to the soldiers the whole of the booty, with the exception of the horses. The captives were sold on the 19th of December; and, while I write this letter on my tribunal, the money paid for them already amounts to twelve millions of sesterces. I have consigned to my brother Quintus the charge of conducting the army into winter-quarters in a district yet somewhat unsettled, and have returned myself to Laodicea*."

A somewhat more minute account of the transactions at Amanus is given by him in a letter to Marcus Cato, which is additionally curious from the attempts made in it to flatter the rigid stoic into an acquiescence in any honour which the senate might decree to him, in acknowledgment of his recent successes. The following are extracts from the epistle.

* Ad Attic. v. 20,

“Having been informed by several messengers and epistles that a strong force of Parthians and Arabians had advanced as far as the city of Antioch, and that a considerable body of their cavalry, which had penetrated into Cilicia, had been cut to pieces by some advanced troops of my own horse, and the prætorian cohort stationed in garrison at Epiphania, I hastened by forced marches towards Amanus, since I plainly perceived that the Parthians, after being checked on the side of Cappadocia, would not long be distant from the Cilician frontier. On arriving at this post I was given to understand that the enemy had raised the siege of Antioch, and that Bibulus was now in that city. On this, I immediately sent word to Deiotarus, who was on his march to join me with a numerous and efficient army both of horse and foot, and, in fact, all the force he could muster, that I saw no longer any reason for withdrawing him from his kingdom; promising that I would give him instant information, by letters and envoys of the occurrence of anything new.

“And since I had advanced thus far, with the intention of rendering assistance to either province if circumstances should demand it, I determined, under the conviction that it would much conduce to the tranquillity of both, to prevent the occupants of the ridge of Amanus from again disturbing them, by removing from thence those ancient and inveterate enemies to our nation. Pretending, therefore, a retreat from the mountain towards a different part of Cilicia, and, proceeding one day's march as if in pursuance of this design, I pitched my camp at Epiphania on the 12th of October; and on the evening of the same day, having made a counter-march, with my army entirely disencumbered of its baggage, returned towards my former station with so much expedition, that, before the morning began to break, I was again stationed

on the ascent to the heights. Having made the necessary dispositions, and retained my brother Quintus to act with myself, while I assigned the command of another detachment to Caius Pontinus, my lieutenant, and of a third to Marcus Anneius and Lucius Tullius, we made a general attack upon the enemy, who, for the most part, little expected our approach, and were either taken prisoners or killed upon the spot, being precluded from the possibility of flight. Pontinus, who commanded in that direction, then assaulted and took by storm Erana, which was more like a city than a village, as being the chief town on the Amanus, together with Sepyra and Commoris. These places were not captured without a desperate defence on the part of the inhabitants, the several assaults continuing from day-break until the tenth hour. A great multitude of the enemy were slain, and six forts taken : several more were set on fire and consumed. After these operations I remained encamped at the foot of Amanus for four days longer, near the altars of Alexander*, devoting the whole of that time to the destruction of the remaining villages and crops on that part of the mountain included within my province. I then led my forces to Pindenissum, a city of Eleuthero-Cilicia, which, since it was built in a strong and commanding situation, and inhabited by those who had never yet yielded obedience even to their own kings ; who had, moreover, afforded a free refuge to fugitives, and were anxiously expecting the arrival of the Parthians, I judged it necessary to the credit of our empire to reduce ; and to punish the insolence of those within its walls, that the spirit of others ill-disposed towards us might be the more easily subdued. I, therefore, surrounded the place with a ditch and rampart, and having

* The three altars erected by Alexander to Jupiter, Minerva, and Hercules, on the memorable plains of Issus, to commemorate his victory over Darius.

closely straitened it, by six forts, in addition to a strongly entrenched camp, I made my approaches towards it by means of embankments, vineæ, and moveable towers. I also employed against it military engines of all descriptions, and a strong body of archers, and after great personal exertions, although without the least trouble or expense to our allies, brought my undertaking to a favourable issue on the fifty-seventh day of the siege; since the inhabitants, after almost every quarter of the place had either been set on fire or laid in ruins, were compelled to surrender at discretion. The Tiburani, a neighbouring tribe, equally daring and unprincipled, agreed to give hostages for their good conduct on receiving intelligence of the fall of Pindenissum. I was, therefore, enabled to send my army into winter-quarters, and consigned it to my brother Quintus, to be stationed in those villages which had just been captured, or which were not yet reduced to perfect obedience.

“And now I have to request you to believe, that supposing any motion be made on this subject in the senate, I shall think it my highest glory if any honour awarded to myself is supported by your approbation. And although I am aware that men of the utmost dignity and influence are accustomed both to receive and to offer requests of this nature, I think that you ought rather to be reminded of past professions, than exposed to fresh entreaties. Let me recall to your recollection the fact of your having on very many occasions distinguished me in the most flattering manner by your vote. In your speeches, moreover, both before the senate and the people, you have literally exalted me to the very heavens by commendations. And such is my opinion of the influence of your words, that by one single expression in my favour, I have always conceived myself elevated to the highest point of dignity which it was possible for me to reach.

“ I remember too that when, on a former occasion, you opposed the supplication about to be decreed to a most illustrious and deserving individual, you asserted that you would willingly support the motion, if the honour were proposed for the conduct of the same person in the city during his consulate. You also assented to the supplication decreed to myself while holding only a civil office, and not granted, as to many, for the successful management of a war, but, as to no one before my time, for the actual preservation of the state. I will not dwell upon your readiness to share with me the envy, the perils, the storms, which have hitherto attended my public career, and which I bear you witness, you would have encountered to a much greater extent, if I could have been prevailed upon to allow it; or, finally, upon your generosity in considering my greatest enemy your own; and even expressing your approbation of his death in the senate during the proceedings in the case of Milo, that I might fully understand the nature and extent of your regard towards me. On the other hand, and I mention this not as any benefit conferred upon you, but rather as an evidence of my real conviction and judgment, I have not been contented with silently admiring your eminent virtues, (for what man is there who does not do this?) but in every oration, and every vote; in all my pleadings, in my writings, Latin as well as Greek, in every kind of literature, in short, in which I have at any time engaged, I have mentioned you as superior not only to every one whom I have hitherto seen, but to all of whom I have ever heard.

“ You will, perhaps, ask what can be the reason of my valuing at so high a rate a trifling mark of honour on the part of the senate. I will deal with you frankly on this point, as becomes that community of feelings and of duties which exists between us, our own sincere friendship, and the good understanding

mutually cultivated by our fathers. If there ever yet existed a person unambitious by nature, and still more so by the exercise of reason and philosophy, of the empty praises of the multitude, I am that individual. Of this my consulate is a witness, during which, as indeed during all the rest of my life, although I followed, as I confess, that path which leads to true renown, I yet considered that glory, abstractedly and in itself, ought never to be an object of pursuit. Thus influenced, I refused the government of a valuable province, and gave up the certain prospect of a triumph, nor did I make any efforts to obtain the office of augur, although, as I believe you are of opinion, I might at that time have easily obtained it. After the injustice, however, which followed,—injustice which you are accustomed to designate as a calamity to the state, and which I consider to have been no misfortune to myself, but rather a subject for boasting—I was desirous that the favourable opinion entertained with respect to me by the senate and people of Rome, should be manifested by the most creditable and substantial marks of their esteem. I, therefore, resolved to stand for the augurship which I had previously neglected, and am, moreover, at the present moment, ambitious of the distinction by which the senate are accustomed to reward military conduct, of which I was once equally regardless. That you would second my wishes on this point, therefore, to which I am prompted by a strong desire of healing the wound inflicted by the injustice I have just alluded to, is now my earnest request; for having promised a short time since not to prefer any entreaty to you upon the subject, I am now obliged to revoke my resolution. Yet, my appeal is founded on the supposition that these trifling exploits of mine will not appear worthless, but much surpassing those for which many other persons have obtained similar honours from the senate.

“ I think I have observed a disposition in you, (and you know with what attention I am accustomed to listen to your opinions,) to consider not so much the military talents and operations of generals, as their moral qualities and the general tenor of their lives, whenever the question of bestowing or withholding public honours has been the subject of debate. Now, if you consider my conduct, you will find that, with a very weak army to counteract the apprehension of a most formidable war, I have made justice and abstinence from oppression the most efficient safeguards of my authority. Relying upon these aids, I have effected that which no force consisting of armed legions could have enabled me to accomplish ; creating in our allies the most friendly dispositions towards us, instead of marked aversion ; and bringing back the minds of those who were wavering, under the expectation of a speedy change, to their former state of affection towards the established government*.”

The application to Cato was accompanied by letters to the consuls Æmilius Paulus† and Claudius Marcellus‡, in which the same request presented to Cato, with so much elaborate flattery, was preferred with little less earnestness. The vanity of the writer was gratified by the public supplication he had endeavoured to obtain for his successes, but it does not appear that Cato was induced by his entreaties or compliments to interest himself very earnestly in his favour. It is at least certain that he did not at first vote for the supplication, although he afterwards caused his name to be inserted in the decree by which it was enjoined. His reply to the appeal of Cicero is yet extant, and deserves record as containing the only authenticated words which the philosopher of Utica has bequeathed to the notice of after ages.

* Ad Diversos, xv. 4.

† Ad Diversos, xv. 13.

‡ Ad Diversos, xv. 10.

“MARCUS CATO TO MARCUS TULLIUS CICERO,
IMPERATOR*.

“That feeling which my regard for the state, and my personal friendship for yourself, render it incumbent upon me to entertain on the present occasion, I most willingly indulge, and rejoice to find that you have displayed in a military capacity abroad, and with undiminished energy, the same virtue, integrity, and industry, which, in affairs of the greatest moment, you were accustomed to exhibit in your civil offices at home. All that I could do, therefore, in consistency with my own judgment when called upon to deliver my opinion, I have done, by making honourable mention of your able defence of your province by your disinterested conduct and wise regulations, of your preservation of Ariobarzanes as well as his kingdom, and your re-establishment of the affections of our allies in favour of our empire. I rejoice that the supplication has been decreed,—if, indeed, you on your part are willing that we should acknowledge our obligations to the gods, for successes in which Chance has had no share, but in which the interests of the republic have been advanced entirely by your prudence and forbearance. If, however, you imagine that a supplication is a necessary preliminary to a triumph, and on that account alone are willing that Fortune should receive our praises rather than yourself, I would remind you that one distinction does not necessarily involve the other, and that it is far more honourable for the senate to judge that a province has been preserved by the gentleness and blameless conduct of a general, than by an armed force, or by the favour of the gods; and this I declared openly, when called to deliver my sentiments. I have written to you at this length, contrary to my usual custom, to induce you to believe, (as it is my

* Ad Diversos, xv. 5.

anxious desire you should,) that although I proposed and desired what appeared most consistent with your true honour and dignity, I am rejoiced that what was most in accordance with your wishes has been determined upon. Farewell! Continue your regards towards me, and still maintain towards our allies and our republic the impartial justice and diligence which you have begun to exhibit."

With the retreat of the Parthians from Antioch, the more serious apprehensions of danger from these terrible invaders were in a great measure dissipated; yet continued rumours of their again crossing the Euphrates did not allow Cilicia to depart from the military attitude it had assumed, during the whole of the ensuing summer. The cessation of the necessity for prompt and vigorous action in the field was not accompanied by a freedom, on the part of Cicero, from numerous minor anxieties and difficulties which required a dextrous and delicate management. He was not on good terms with his predecessor, Appius, who, as it has been already seen, instead of advancing to meet him and formally resigning the government into his hands, had continued to exercise a separate authority in a remote part of the province, where it was impossible for Cicero to reach him within the thirty days prescribed by the Cornelian law, as the longest interval between the arrival of a proconsul in his government, and the departure of the magistrate whom he had succeeded. With some difficulty Appius was made conscious of the little reason which existed for his unfriendly conduct; but his reconciliation with Cicero had scarcely been effected, when a fresh cause of distrust arose on account of an impeachment brought against him as soon as he returned to Rome, by Dolabella, who was on the point of marrying Tullia, the daughter of Cicero, after her separation, probably by a divorce, from her second

husband Crassipes. Cicero appears on the face of some of his epistles to have been much concerned at these proceedings, and to have taken much more pains to avert the suspicions of the accused from falling upon himself as an agent in the prosecution, than Appius deserved. He has done so, indeed, at no small expense to his own reputation for sincerity, since, although in his correspondence with Atticus he depicts the oppressions of the late governor of Cilicia as almost beyond belief, he possessed dissimulation enough to intimate to the same individual, in a letter upon the subject of his impeachment*, the highest respect and admiration for his character, and astonishment at the accusations of Dolabella, whom he designates a rash and ungrateful young man. In another epistle, acknowledging the receipt of the intelligence of the acquittal of Appius on the charge of mal-administration in his government, his affected joy is still more vehemently expressed: "While I was encamped," he writes†, "on the banks of the Pyramus, I received two letters from you, which were forwarded to me by Quintus Servilius Tarso, one of them dated on the nones of April, the other undated, and as it appeared to me more recently written. I will, therefore, first answer the former, in which you inform me of your acquittal under the accusation of mismanagement of your authority in your late province. Of this event I had already been made acquainted by various means of intelligence; since the verdict was the universal topic of conversation, not from any expectation that it would have been otherwise, but because nothing conducing to the further glory of men already illustrious, is ever suffered to remain in obscurity; yet your letter much increased my delight, not only because it was more exact and

* Ad Diversos, iii. 10.—Cum est ad nos allatum de temeritate eorum, qui tibi negotium facesserent, &c. † Ad Diversos, iii. 11.

copious in its details than common discourse, but because I seemed to have a better opportunity for offering my congratulations after a communication under your own hand. In imagination, therefore, I embraced you, although absent, and, imprinting kisses upon your epistle, indulged in a feeling of self-satisfaction and rejoicing on my own account; for the testimony of approval just awarded by the people, the senate, and the judges, to your genius, industry, and virtue, (although I am perhaps only indulging my own vanity, by supposing that I have any share of such qualities,) seemed in some measure to be bestowed upon myself also. Nor did I so much wonder at the glorious issue of your trial, as at the depravity of those who had appeared as your enemies."

"Cicero himself," says Melmoth, in his notes upon the epistle of which the above extract is a part—and it is at all times satisfactory to turn to the just and impartial opinions of this able translator—"will furnish the most proper comment upon this passage. For in a letter to Atticus, written not many months before the present, he describes the conduct of Appian in Cilicia, in terms which show that he was far from being unjustly arraigned by Dolabella. He represents him as having spread desolation through the province by fire and sword; as having left nothing behind him which he could possibly carry away; and as having suffered his officers to commit all sorts of violences which lust and avarice could suggest. 'And I am going,' says he, 'this very morning to repeal some of his iniquitous edicts.' It is pleasant to observe, upon some occasions, the different colours in which the same character is painted by different hands; but one has not so frequently the opportunity of hearing the same conduct thus abused and thus applauded by the same man, and almost too in the same breath." Such censure, it must be confessed, is but too well supported by other passages of the epistles

of Cicero; and it is no part of the biographer to reveal only the best qualities of the subject of his history. Yet, in the midst of the most flagrant faults and weaknesses which distinguished his exceedingly unequal character, there are not wanting many bright points to relieve the darker parts of the picture. Inclined as he was to almost servile flattery, and sometimes tempted by the weakness of the moment into disingenuousness, for which it is not intended to offer an excuse, there were yet occasions in which he disregarded all considerations but the simple one of justice; and, having to choose between the paths of interest and integrity, promptly and unhesitatingly made choice of the latter. A remarkable instance of this was observable in his conduct with respect to the public debts of the people of Cyprus. This once flourishing and populous island was not slow in experiencing the effects of its annexation to the territories of the republic, in the usual forms of misery which generally followed fast on the track of Roman conquest. Under the pretence of a composition for the ordinary obligation to furnish winter-quarters for the legions*, and various other pretexts, the inhabitants were so loaded with imposts as to be compelled to borrow money from the usurers at Rome, at an exorbitant interest. They were, moreover, during the administration of Appius, subjected to the lawless violence of a strong body of horse, headed by Marcus Scaptius and Publius Matinius, who levied contributions at their pleasure; and, on one occasion, carried their atrocious injustice so far as to keep in close confinement the senate of Salamis, who had resisted some of their exactions, until five among their number had perished with hunger†. Cicero had no sooner entered his province

* The sum exacted from the Roman proconsuls from Cyprus, under this head alone, amounted to 200 talents, or about 40,000*l.*, yearly.

† Ad Attic. vi. 1, 2.

than he was met by a deputation of the Salaminians, complaining of this outrage, as well as of the serious debt they had already incurred, amounting to about twenty-three thousand pounds. Scaptius and his cavalry were, by his order, immediately withdrawn, while the enormous interest of forty-eight per cent.*, charged upon their bonds by the Roman creditors, was reduced to twelve, by an edict enjoining the same rate of usance to be observed throughout the province. In making this regulation Cicero had to encounter the remonstrances of the famous Marcus Brutus, who, although the title was ostensibly held by Scaptius and Matinius, was the real creditor of the Salaminians. His representations upon the subject were backed by those of Atticus, who ventured, at the same time, to intercede in behalf of Scaptius; requesting that, at least, some part of the force he had formerly commanded might be restored to him,

* The legal interest allowed to be exacted at Rome was fixed, by the earliest regulations upon the subject, at one per cent., and any usurer convicted of demanding more was liable to make four-fold restitution. Tacitus asserts that this was expressly provided by the laws of the Twelve Tables:—¹ *Vetus urbi fœnebro malum et seditionum discordiarumque uberrima causa: eoque cohibebatur antiquis quoque et minus corruptis moribus. Nam primo duodecim tabulis sanctum, 'Ne quis unciario fœnere amplius exerceret.'*—*Annal.* vi. 16. Montesquieu (*Esprit des Loix*, xxii. 22.) endeavours to prove that Tacitus has confounded with the Decemviral code the law of the tribunes Duilius and Mœnius, A.U.C. 398. Niebuhr, however, has thrown the weight of his authority, which will, perhaps, be considered decisive, on the side of Tacitus. In the consulate of Titus Manlius Torquatus and Cnæus Plautius, A.U.C. 408, the rate of interest was reduced to one-half per cent., and by a subsequent statute, brought forward by the tribune *Genucius*, A.U.C. 413, abolished altogether. This law, however, as well as those which had preceded it to prevent usurious interest, although not formally repealed, soon fell into the condition of a dead letter. (Brotier, *Excurs. in Tacit. Annal.* vi. 16.) The amount of interest which could be legally demanded in the provinces seems to have varied with the judgment of the respective governors.

although it might be no more than fifty horse. To both, however, Cicero returned an unqualified refusal, and continued to persist in it, although his friendship with Brutus was in danger of being brought to an end by his firmness*. The readiness he had shown in listening to the petition of the people of Cyprus, was no solitary instance of leniency. "I wish," he exclaims to Atticus, with an excusable feeling of self-complacency, "you had been present at the courts held here for settling the affairs of the several dioceses, with the exception of those of Cilicia, from the ides of February to the calends of May; so numerous were the cities wholly freed from the burden of debt, so many those to whom it was greatly

* Several letters seem to have passed between Cicero and Brutus on the question of the public debt of the city of Salamis, until the latter, offended by the inflexibility of his friend, angrily dropped the correspondence with reference to his unjust claims. "Brutus," says Cicero, (*Ad Attic. vi. 2.*), "has given no reply at all; this, however, you are not to divulge; nor has he adverted to it in his late letter respecting Appius, which has the appearance of reserve and arrogance. This puts me in mind of what you often used to repeat, 'Gavius did not extend to himself the contempt and hatred which he professed to cherish towards haughty tyrants.' But this manner of Brutus raises my mirth rather than my indignation, though, to say the truth, he is too regardless what he writes, and to whom he writes."—*Melmoth*. The general reader may feel some surprise at finding the part of a usurer, demanding nearly fifty per cent. for his money, enacted by one who was afterwards the leading patriot of his age. Nor does it coincide very exactly with the sentiment expressed in the beautiful words ascribed to him by Shakespeare:—

"For I can raise no money by vile means :
By heaven ! I had rather coin my heart,
And drop my blood for drachmas, than to wring
From the hard hands of peasants their vile trash
By any indirection."—*JULIUS CÆSAR, Act iv., Scene 3.*

There is, however, scarcely a character of that period whose reputation is not somewhat the worse for being viewed through the medium of Cicero's letters. Both Brutus and Pompey had also considerable claims upon Cappadocia, and its monarch Ariobarzanes, who was almost ruined by their extortions.

alleviated. All of them being permitted to appeal to their own laws and precedents, and being thus, in fact, allowed the liberty of self-government, appeared awakened to a new life. The method I adopted to discharge, or, at any rate, to diminish, their debts was twofold. In the first place, I took care that my government should never be a source of expense to any one among them, no, not by so much as the smallest coin; and, in making this assertion, I indulge in no hyperbolical expression. In the next place, having ascertained that peculations, on the part of their own magistrates, had been carried on to an astonishing extent, I summoned before me all who had been in office for the last ten years, and obtained from them a free confession of the fact. They were consequently obliged, in order to avoid public exposure, to return the sums they had severally embezzled, and the people, who at the time seemed wholly unable to discharge the debts of the last lustrum, were not only able to liquidate these on the spot, but also the deficiencies of the term preceding*."

From the same letter it appears, that the urbanity for which he was remarkable among his fellow-citizens at Rome was exhibited unaltered towards his provincial dependants, and that the habits of industry, enforced upon him by the former necessity of fulfilling a multiplicity of public engagements, remained unimpaired amidst the temptations to indulgence held out by his distant appointment. "My audiences," he continues, "are by no means such as are usually given by the governors of our provinces; nor does the way of access to me lie through my bed-chamber. Before the dawn of day I am usually walking in my house, as I used to do when a candidate for public honours. This procures me extensive popularity, and requires no exertion on my part,

* Ad Attic. vi. 2, written from Laodicea.

since I have long been inured to it by the hard service of former times*." This representation has been fully corroborated by Plutarch, who has added other particulars of the gentle and disinterested administration of Cicero, of which he himself has made no mention; and, in quitting the consideration of his conduct as governor of a province, a more favourable conclusion of any remarks upon the subject could hardly be found, than the simple words in which that historian enumerates its principal features:—"Cicero," he relates, "finding the Cilicians elated on the miscarriage of the Romans in Parthia and the commotions in Syria, brought them to order by the gentleness of his government. He refused the presents which the neighbouring princes offered him; he excused the province from finding him a public table, and daily entertained at his own charge persons of honour and learning, not with magnificence indeed, but with elegance and propriety. He had no porter at his gate, nor did any man ever find him in bed; for he rose early in the morning, and kindly received those who came to pay their court to him either standing or walking before his door. We are told that he never caused any man to be beaten with rods, or to have his garments rent; never gave opprobrious language in his anger, nor added insult to punishment. He recovered the public money, which had been embezzled, and enriched the cities with it. At the same time, he was satisfied if those who had

* The early habits of the Romans generally are well known. Their levees were often held before day-break, and several letters of Cicero appear to have been written by the light afforded by his candelabrum while waiting for the appearance of dawn, and, with it, the influx of his retainers. "I would have scribbled more," he writes on one occasion to Atticus, "but the day is breaking, the crowd breaks in, and Philogenes (his messenger) is in haste." See also on this point the well-known passages, Hor. Sat. i. 1, and Juvenal. Sat. v. 20.

been guilty of such frauds made restitution, and fixed no mark of infamy upon them*."

During the summer months, which still remained to be spent before he could relinquish his appointment, the constant expectation of the approach of the Parthians compelled him to be frequently encamped in the open field. The severe check, however, which these redoubted invaders had lately received in the neighbouring province of Syria, still confined them to the eastern bank of the Euphrates, and the military career of Cicero was not destined to afford him an opportunity of opposing his legionaries to the iron sleet of the squadrons of Orodes. The arms of his troops were, therefore, only exercised against the beasts of prey by which the country was infested; and the zeal with which they entered into the amusement of the chase, is expressed in one of his epistles to his friend Marcus Cœlius, curule ædile, in answer to an application for as many wild beasts as could be procured, to adorn the shows on the point of being exhibited at Rome. "I do not," he says, "forget the panthers you desired, and have given orders to the persons usually employed in hunting them: but these animals are exceedingly scarce with us. They take it so unkind, you must know, that they should be the only creatures in my province for whom any snares should be laid, that they have withdrawn themselves from my government, and are marched into Caria. However, the huntsmen, and particularly honest Patiscus, are making very diligent inquiry after their haunts, and all the game they can meet with shall certainly be yours; but what the number will be is altogether uncertain †."

* Plutarch's Life of Cicero—Langhorne's translation.

† Melmoth.—Cœlius had at first written to request that Cicero would exert his authority to engage the people of his province in the chase of these animals. "I believe," he writes, (*Ad Diverson*, viii. 9.)

On the 5th of June, A. U. C. 704, Cicero had again returned for a short time to Tarsus, making the necessary arrangement for his departure for Italy.* Ever since his arrival in Cilicia, his efforts had been continued without intermission to prevent the period of his government from being extended beyond a single year. One fresh reason, in addition to his original dislike to any foreign employment, he has himself candidly stated to have been, the consciousness that he was unequal to the management of the serious war by which the eastern provinces of Rome were at that time threatened; and the confession cannot be considered as reflecting either upon his good sense or courage. His friends at Rome were not behind in seconding and accomplishing his wishes on this point. After having

"I have reminded you of the panthers in almost every one of my letters: and surely you will not suffer Patiscus to be more liberal in this article than yourself. He has made Curio a present of no less than half a score. Great, therefore, will be your disgrace if you should not send me a much larger number. In the meantime, Curio has given me those he received from Patiscus, together with as many more from Africa. As to yourself, if you can but charge your memory with my request, you may easily procure me as many of these animals as you please. It is only sending for some of the Cybaritæ to hunt them, and issuing forth your orders likewise into Pamphylia, where I am told they are taken in great abundance. I am the more solicitous upon this article, as, I believe, my colleague and I shall exhibit our games separately; so that the whole preparation of them must be upon myself." On this subject Cicero remarks to Atticus (vi. 1), "Cælius has sent his freedman to me with very pressing letters, but his request respecting the panthers, and the contributions of the several states, was scandalous. I replied that I was mortified by the public inattention to my government, and that it was not known at Rome that I levied no money on the public but to discharge the public debts. As to his request respecting the panthers, I observed that it was not consistent with my honour to compel the Cybaritæ to hunt at the public expense." —*Melmoth*. It is probable from this passage that Cicero made, as Dr. Middleton has conjectured, the necessary advances from his own purse, to satisfy the demands of Cælius. If so, the circumstance is a fresh evidence of the integrity of his conduct in his province.

* *Tarsum vertimus Nonis Junius, &c.*—Ad Attic. vi. 14.

followed the requisition, therefore, of the Julian law, by leaving two copies of his public accounts to be deposited in different cities—performed a last act of generosity by remitting to the public treasury, although with many expressions of disapprobation on the part of his less disinterested followers, a sum not falling short of eight hundred thousand pounds from the allowance granted him for his expenses—and committed the government of his province to the proquaestor Caius Cœlius, until the arrival of his successor, he set out on his return home on the thirty-first day of July, having selected the earliest moment possible for commencing his journey. For the benefit of his son and nephew Quintus, the latter of whom had lately assumed the manly robe, he had intended to spend some time at Rhodes while on his way to Athens*. Yet his stay there could not have been of any long continuance, since, on the first of October, he writes to Atticus of only then being on the point of putting out to sea from Ephesus, with every prospect of a tedious voyage from the prevalence of the Etesian winds, and the clumsiness of the Rhodian vessels†; and on the 6th of the same month mentions his landing at the Peiræus‡. It was on reaching Rhodes that he was informed of the death of the celebrated Hortensius, to whom he had long been attached by a community of tastes and pursuits, as well as by a long interchange of friendly offices. On the fifteenth of October he was still at Athens, in the house of his old friend Aristus; on the second of November at Patræ, and the sixth at Leucate on the coast of Epirus. Having embarked at Actium, he was detained by tempestuous winds at Cassiope, a harbour in the island of Coreyra, until the twenty-

* Quinto togam puram Liberalibus cogitabam dare, sic enim mandavit pater.—*Ad Attic.* vi. 1.

The Liberalia, or feasts in honour of Bacchus, were celebrated xv. Cal. April.—(On the 18th of March).

† *Ad Attic.* vi. 8.

‡ *Ad Attic.* vi. 9.

third day of the same month ; several of the vessels which had accompanied him being sunk in their attempts to proceed. The weather, however, having by that time become more favourable, he was enabled, with the assistance of a gentle breeze from the south, to reach the port of Hydrunt in Italy on the twenty-fourth, and on the day following was off Brundisium *. At Patrae he had been compelled to leave behind him his favourite and confidential freedman Gallius Tiro, who had been attacked by a dangerous indisposition, and his letters to this faithful retainer do credit to the friendly and benevolent feelings by which his disposition was strongly characterised †. No parent writing to a son, or brother to a brother, could manifest greater interest than Cicero in his epistles to one who had formerly been his slave, and was still, in every sense, his dependant. At Brundisium he was met, in the forum of the city immediately after landing, by his wife Terentia, whom he had previously summoned to join him, and in her company proceeded by slow journeys to Rome, indulging himself with considerable hopes of a triumph, for the attainment of which honour he had made every exertion in his power among the leading persons in the capital, and maintaining by means of his laurelled fasces and numerous escort all the external pomp which usually accompanied the return of a victorious proconsul.

* Ad Diversos, xvi. 9 ; Fasti Hellenici, iii. 195.—Qui cupide profecti sunt multi naufragia fecerunt. Nos eo die cœnati solvimus. Inde Austro lenissimo, celo sereno, nocte illà et die postero in Italiam ad Hydruntem ludibundi pervenimus, &c. See Also Ad Attic. vii. 2.

† Tiro had been brought up from his earliest infancy in the family of Cicero, whose name he bore, and, like many of the favourite domestics of the Romans, had been carefully educated. He is supposed by some commentators to have first collected and published the letters of Cicero. He also wrote a life of his patron. Asconius speaks of him as a man of elegant mind, and no inconsiderable proficiency in literature.

CHAPTER XI.

Progress of the Dissensions between the rival Factions at Rome—
The Consul Marcellus delivers his Sword to Pompey—Inter-
view between Pompey and Cicero—Cicero enters Rome—
Ultimate Decree of the Senate—Flight of the Tribunes Antony
and Cassius—Cæsar crosses the Rubicon—Pompey withdraws
with the Senatorian Party from Rome—Alarming Progress of his
Adversaries—Corfinium besieged—Cicero declines to join Pom-
pey, who retreats to Brundisium, and embarks for Greece—Va-
cillation of Cicero—His Interview with Cæsar—Correspondence
with Antony and Cælius—Cicero embarks for Dyrrachium—
His arrival in the Camp of Pompey—Cæsar lands at Pharsalus
—Is unsuccessful in his Attack upon Pompey's Entrenchments,
and retreats into Thessaly—Battle of Pharsalia—The Com-
mand of the Pompeian Party offered to Cicero, who declines
it—Cato sails to Africa—Cicero returns to Brundisium.

WHILE Cicero was employed in watching over the peace of his province, and endeavouring by his just and prudent regulations to administer relief to the evils caused by the misrule of his predecessors, the affairs of Italy had continued daily to assume a more gloomy complexion, until, from the violence of the two parties by whose rivalry the state was distracted, they had at length assumed an aspect which promised the immediate commencement of a civil war. Intimations of these constant changes for the worse, had been, from time to time, conveyed to him by his friends at Rome, but, until able to ascertain the truth by actual observation, he seems to have listened to the forebodings of his correspondents, as he might have done to the echoes of distant thunders, so far remote as to justify a doubt as to the real character of the sound. The long agitated proposal of the recal of Cæsar from his province, was still the subject of contention on which the aristocratic and more popular factions (the latter, now ably guided by the cele-

brated Mark Antony and the younger Curio, who, after being for some time a furious opponent of Cæsar, had been bribed into becoming his equally furious partisan) continued to measure their strength, and which they threatened ere long to decide by their swords. After various preliminary contests, the senate was twice divided upon the question in different forms; yet, although it was determined, chiefly by the efforts of the friends of Cæsar, that the order to disarm should not be confined to either of the generals holding extraordinary appointments, but that Pompey should also be required to dismiss the forces under his command, the resolution, which met with the enthusiastic approbation of the better disposed among the people, who publicly crowned Curio with flowers for the part he had taken in its support, was suffered to remain unenforced. It was succeeded by an order from the senate to Cæsar, probably as a trial of his present disposition, to send back a legion which he had borrowed from Pompey, and to detach another from his army to be employed in Syria against the Parthians; both which commands were at once complied with. Encouraged by this appearance of submission, the consul Marcellus, under the pretence of a rumour, no doubt excited by his own party, that Cæsar had passed the Alps in a hostile manner, endeavoured to inflict a second blow upon his power, by making a motion in an extraordinary meeting of the senate, that the several states of Italy should be ordered immediately to supply their several contingents for the defence of the republic against his aggressions. On this occasion, however, Curio standing boldly forward in his defence, and finding the majority of the senators likely to side with the consul, put a stop to all further proceedings by the interposition of his authority as tribune of the people. Marcellus being thus compelled to dismiss

the senate without effecting his purpose, after uttering the angry threat, that since his authority was disregarded, he would transfer it into other hands, proceeded with Lentulus, one of the consuls elect for the ensuing year, to the gardens where Pompey resided, and publicly presenting his sword, requested him to employ it for the preservation of Italy, and to take upon himself the command of the forces to be raised for its protection. The answer of Pompey was little less than a direct declaration of war against his rival: "I accept the offer," he replied, "provided no better means can be adopted to ensure the safety of the commonwealth."

The noisy denunciations of his enemies at Rome were, for some time, heard by Caesar in silence. He was not, however, the less likely on that account to be ready to answer their summons to the field whenever his interests should require him to appear there. By the election of his friend Antony and Quintus Cassius, another of his most resolute adherents, into the college of tribunes, he was furnished with two powerful instruments for directing any popular movements in the city in his favour. He himself was at Ravenna, according to his usual custom of spending the winter in Cisalpine Gaul; which province, to avoid giving any alarm to the senate, was ostensibly furnished with but a single veteran legion, the thirteenth. But in and about the passes of the Alps were glittering the standards of the twelfth legion, posted in readiness to march to his support at his earliest command; and behind that rocky barrier lay cantoned, with free communications, in a country completely reduced by their prowess to a state of subjection, and furnished with every requisite for effective service, the veterans of seven severe campaigns; available either for a prompt advance into Italy, or for preventing a junction of the Italian forces of Pompey

with the powerful army acting under his lieutenants in Spain. Thus circumstanced, and fully able to appreciate all the advantages of his position, he was contented with coolly watching from thence the favourable opportunity for action, which he had truly calculated the rashness of his adversaries would not be long in affording, and beyond professing an intention of soon offering himself as consul for the new year, making no overt movement to oppose their demonstrations of hostility.

Meanwhile Cicero, whose attention was, at least, as much excited by the prospect of the gaudy pageant which he intended to solicit, as by the portentous signs of intestine commotion around him, the extensive and serious character of which he seems to have begun to appreciate during his short stay in Greece, was met by Pompey in his progress to the capital. His high standing in the republic, his long acquired reputation and splendid abilities, made him an object well worth securing by either party, and the leaders of both were not wanting in efforts to obtain, if possible, so illustrious a support. Caesar had written to him while yet in Asia, congratulating him on his exploits, and making severe comments upon the lukewarmness of Cato in seconding the decree for a supplication in his favour, while readily exerting himself to procure one of twenty days' continuance in behalf of the proconsul Bibulus. He was not, however, able by this well-timed flattery, to deprive the ranks of his antagonist of a long tried supporter; and if Cicero had not previously made up his mind as to the course incumbent upon him to pursue, his first interview with his former professed patron would, probably, have determined his wavering resolution. "On the fourth of December," he writes to Atticus, "I was in company with Pompey. Our conference lasted about two hours. He appeared

transported with joy at ~~his~~ return, exhorted me strenuously to follow out my plan of supplicating for a triumph, and requested that I would declare myself in his favour. He advised me not to take any part in the debates in the senate until I had accomplished my object, lest I should offend some of the tribunes by the delivery of my opinions. He could not, in short, have been more lavish of his friendly counsel than he was on this occasion. In our conversation on public affairs, he spoke of a civil war as an event no longer doubtful. He said that there was no prospect of a reconciliation, since Cæsar was wholly alienated from him; that he had reason to suspect this before, but was now certain of it, since Hirtius, who had formerly been on the most intimate terms with him, had lately come to Rome from Cæsar without paying him a visit; that he had arrived on the evening of the 6th of December, and after prevailing upon Balbus to appoint a meeting with Scipio before daylight on the following morning, respecting the general subject of his mission, had set off again in the middle of the night to join Cæsar. This he considered palpable evidence of estrangement—I add no more; but that my whole consolation is derived from the hope, that the man to whom even his enemies are willing to concede a second consulate, and whom Fortune has invested with supreme power, will not be so insane as to peril everything by his precipitation. But if he once commences such a career, I fear more than I dare commit to writing*.”

● A second interview appears from Cicero's letters to have taken place between himself and Pompey some days afterwards, on which the hostile intentions of the latter were still more evidently revealed. Of this meeting, he communicates the following particulars

* Ad Attic. vii. 4.

to Atticus * :—" Your conjecture that I should meet with Pompey before I reached this place has proved correct, since he overtook me at Lavernium on the 27th of December. We proceeded together to Formiæ, and conversed in private from the eighth hour till the evening. You ask if there is any prospect of a peace : so far as I can judge from Pompey's full and unequivocal expressions, I should say that there exists not even a wish for it. For it is his opinion, that if Cæsar should be returned consul, even after dismissing his army; a destruction of the constitution would be inevitably the consequence. He thinks, however, that when he hears of the preparations making against him, he will abandon his designs upon the consulate, and prefer retaining his province and army. He spoke with great contempt of any act of rash aggression on the part of Cæsar, and expressed the greatest confidence in his own resources and those of the republic ; and although the horrors of a civil war were clearly arrayed before my imagination, I was yet in some measure freed from anxiety while listening to the prudent remarks of so brave, experienced, and influential a leader, on the greater perils of an insincere peace. We had before us the speech delivered by Antony on the 23rd of December†, in which he attacks the whole life of Pompey from his boyhood,—complains of his unjust condemnations, and of the terror of his military despotism. While perusing it, Pompey asked, ' What do you suppose will be the conduct of this man, if he once obtains the supreme authority in the state, when even his quæstor, a destitute and powerless individual, dares to express himself in such terms as these ? ' In short, he appeared

* Ad Attic. vii. 8.

† It will be remembered that the public speeches of the Romans, at this time, were often regularly reported by short-hand writers. An oration thus preserved, was termed *Oratio excepta*.

not only not to desire a peace, but absolutely to dread it."

On the 4th day of January, A. U. C. 705, and at the commencement of the consulate of Claudius Marcellus* and Cornelius Lentulus, Cicero having set out from the Alban villa of Pompey, entered the suburbs of Rome in the full pomp of office, amidst a distinguished escort, and welcomed by the most flattering testimonies of popular regard. His arrival in the city, however, took place at an unfortunate crisis for the triumphal honours which he now intended to set himself earnestly to solicit, being prompted in his exertions to obtain this distinction by a similar application on the part of Bibulus, who, although he had never stirred beyond the walls of Antioch, while the Parthians had continued to keep the field, was yet, according to established usage, provided with a fair claim to this token of public approbation by the successes obtained, under his auspices, by his lieutenant Caius Cassius.

The assertion contained in a letter to Tiro from his patron, that he had unexpectedly fallen into the full flames of a war already raging†, was unfortunately but too well founded. A few days before his arrival, and at the very entrance of the new consuls upon their office, a letter from Cæsar was laid before the senate by Curio, and allowed, after considerable opposition, to be read in the house. In this, which Cicero terms an angry and menacing epistle‡, the promise was reiterated that the writer would imme-

* Three consuls of this name were elected, A. U. C. 703, 704, and 705.

† Ego ad urbem accessi prid. non. Januarias. Obviam mihi sic est proditum ut nihil potest esse ornatus. Sed incidi in flammam civilis discordiæ—vel potius belli.—Ad Diversos, xvi. 2.

‡ Amicus noster minaces ad senatum et acerbas literas misit, et erat adhuc impudens qui exercitum et provinciam invito senatu teneret.—Ibid. This is the epistle which Cæsar, when speaking of it himself, mentions as containing his "lenissima postulata."

diately comply with the command of the senate to disband his army, provided Pompey was compelled to follow his example; while it was at the same time intimated, in no ambiguous terms, that if this means of accommodation should be rejected, he would at once march into Italy and vindicate by force the liberties of his country. A long and tumultuous debate immediately ensued, in which Læntulus the consul was loud in his promises of supporting the senate if they should determined to act with resolution in defence of their authority; and Metellus Scipio, after asserting that Pompey (who was present at the time) would not be wanting in his duty to the state if seconded by his own Order, concluded by moving, that a certain day should be appointed before which, if the forces of Cæsar were not disbanded, he should be declared an enemy to the republic*. The division on this motion was summarily cut short by the intercession of the tribunes Antony and Quintus Cassius; and after a renewed scene of violence, confusion, invective, and uproar, the assembly was compelled to dissolve itself without adopting any determinate resolution. At a second meeting, however, on the seventh of January, without any regard to the tribunitial authority, the senate was rashly precipitated, by the violence of the faction of Pompey, into a series of enactments which might be considered as so many resolutions of self-destruction. It was ordained that successors should be immediately appointed to Cæsar in his government; that fresh forces should be decreed to his rival; and, finally, as if the state had been threatened with a danger which rendered a temporary suspension of the laws its only defence, that the consuls, prætor, tribunes, and persons invested with proconsular authority then present in the city, should take immediate care that the

* Cæsar, De Bello Civ. i. 5.; Dio, xli.

republic received no detriment*. The instant the decree was passed, Antony and Cassius, probably not without reason, considering themselves no longer safe at Rome, fled with precipitation, in the disguise of slaves and with hired equipages†, towards the quarters of Cæsar; who was still at Ravenna, expecting, as he has himself expressed it, with a hope that matters would yet be amicably arranged if there remained the least sense of justice among men, an answer to his most moderate and gentle demands.

Every quarter of Rome now resounded with the bustle of military preparation, the young and impetuous patricians, and the ambitious of every age, rushing eagerly into a contest of which they little anticipated the wasting character or the calamitous issue. The mourning habit was publicly assumed by the mass of the people, and strangely contrasted with the splendid equipments of the rich and noble adherents of Pompey, who were taking arms in imposing numbers. The whole of Italy was divided into districts, which were assigned to different officers; Capua and the country in its neighbourhood being appointed to Cicero‡, who had repeatedly raised his voice in vain to ensure the continuance of peace upon any terms, and to deprecate the folly and misery of a civil war, while emissaries were despatched in haste to superintend the general levies carrying on in all directions by order of the senate. The provinces were disposed of in a similar manner, without any reference to the people, and, in some instances, to persons unentitled to such appointments, either by the present or recent session of office§. Sicily was, in this manner, commit-

* Cæsar, *De Bello Civ.* i. 5.; Dio, xli.

† Plutarch. in *Ant.*

‡ *Italice regiones descriptæ sunt quam quisque partem tueretur. Nos Capuam summus.*—*Ad Diversos*, xvi. 11. written on the 12th of January.

§ Cæsar, *De Bello Civ.* i. 6.

ted to Cato, Africa to Tubero, Syria to Scipio, and Cisalpine Gaul to Lucius Domitius Ahenobarbus. Considerable sums were granted to Pompey from the public treasury for the expenses of the war, and the spirits of his followers elevated to a presumptuous confidence by his public declaration, that he had already ten legions fit for service—that he had but to stamp his foot to raise a fresh army—and that the troops of Cæsar, already on the point of breaking out into mutiny, might be expected to desert his standard in great numbers as soon as they reached the Italian side of the Alps. For the latter assertion there was not the least ground, and the former contained a gross exaggeration. Pompey had greatly miscalculated the strength of his influence, and the extent of the public feeling in his favour. His resources, moreover, instead of being concentrated for the emergency, were yet scattered and unarranged, and long before he could avail himself of the power which he really possessed, a single movement on the part of his enterprising antagonist rendered his preparations almost useless, and made the final result of the struggle all but a matter of certainty.

Cæsar had received at Ravenna full intelligence of the resolutions passed against him by the senate, and possessing, by means of his friends in the city, a thorough acquaintance with the condition of the faction of Pompey and the absence, at the moment, of any force capable of opposing his march towards Rome, was also well aware of the feeling of security prevalent in the capital, founded on the impression that until his army came up from Gaul, no movements of a serious character were to be expected. Having, therefore, assembled his thirteenth legion, laid before them the late resolutions of the senate, and ascertained, by their repeated assurances of their determination to defend from illegal violence the

persons of the tribunes and of their general, that their assistance might be confidently relied upon, he determined, without delay, upon the bold expedient of surprising Ariminum, as the first indication of his intention of at once assuming the offensive. For this purpose he ordered what he considered a sufficient number of his troops, armed only with their swords, to proceed from Ravenna, and establish themselves, without bloodshed if possible, in the place; which appears to have been, by a singular want of precaution, as yet ungarrisoned. He himself, after spending the day at an exhibition of gladiators, and meeting a convivial party in the evening, as if no resolution of consequence had at that time a place in his thoughts, set out at nightfall to join his advanced guard, having previously given directions to some of his most confidential friends to meet him on his road. His journey was little likely to be obstructed by the arms of his enemies, but full in his path flowed the famous stream of the Rubicon*; guarded by much

* La politique n'avoit point permis qu'il y eût des armées auprès de Rome; mais elle n'avoit pas souffert non plus que l'Italie fût entièrement dé garnie des troupes. Cela fit qu'on tint de forces considérables dans la Gaule Cisalpine, c'est-à-dire dans le pays qui est depuis le Rubicon, petit fleuve de la Romagne, jusqu'aux Alpes. Mais pour assurer la ville de Rome contre ces troupes, on fit le célèbre *sénatus consulte*, que l'on voit encore gravé sur le chemin de Rimini à Césène, par lequel on devoit aux dieux infernaux, et l'on déclaroit sacrilège et parricide, quiconque, avec une légion, avec une armée, ou avec une cohorte, passeroit le Rubicon.—MONTESQUIEU, *Grandeur et Décadence des Romains*, chap. xi. It is much to be regretted that the curious monument of antiquity alluded to has since almost, if not entirely, perished. Eustace (*Classical Tour*, vol. i. 145.) says, "About two miles from Cesena flows a stream called the Pisatello, supposed to be the ancient Rubicon. There stood on the northern bank an obelisk, with the decree of the senate and Roman people inscribed on its pedestal, and two other inscriptions on its sides. The French destroyed this obelisk. The slabs that formed the pedestal lay half buried in a farmyard, about a hundred paces from the road, where we dug them

more imposing defences than the array of military force—the most solemn and awful enactments of his country—the reverential regard of past generations, the majesty of the Roman constitution—and every claim which a country possesses upon the forbearance of her sons. Whether on reaching this celebrated boundary of his province, he paused, as has generally been represented, to indulge those reflections which the solemnity and stillness of the hour, the midnight aspect of the consecrated river, and the consciousness of the important character of his daring resolve, were so well calculated to inspire, it is not now necessary to consider. It may, however, be observed, that if he has made no mention of any such mental conflict in his own Commentaries, few can be at a loss to supply substantial motives for his silence. By day-break, on the following morning, Ariminum was in his hands, and from this town, after being joined by the tribunes Mark Antony and Cassius, and receiving a private communication from Pompey, which seemed

up and placed them against the trunk of a tree.” The reader need scarcely be informed, that the identity of the Rubicon with the Pisatello has been warmly disputed. Eustace, following D’Anville, thinks the stream in question to have been the Fiumicino, a tributary to the latter, and has brought several ingenious arguments in favour of his opinion and against the common supposition, that Cæsar passed the Rubicon by following the Æmilian Way, and crossing the bridge “ad Confluenteis.” A Papal decree in 1756 determined the point in favour of the Lusa. The inscription once legible upon the obelisk, and which may not be uninteresting to the classical reader, is given by Fabricius, *Antiq. Lib. iii. p. 37*, as follows :—

JVSSV MANDATVVE

P R

Cos. Imp. Trib. Miles. tiro, commilito, armate quisquis es, manipularie, centurio, turmarie, legionarie, hic sistito, vexillum sinito, arma deponito : nec citra hunc amnem Rubiconem, signa, ductum, commentumve traducito.* Si quis hujusce jussionis ergo adversus præcepta ierit feceritve adjudicatus esto hostis P. R. ac si contra patriam arma tulerit, penatesque o sacris penetralibus asportaverit, N. P. Q. R.

Sanctio plebisciti Svc Consulti.

Ultra hos fines arma signa proferre liceat nemini.

to be introductory to an accommodation, he forwarded, by Lucius Caesar and the prætor Roscius, a letter to the consuls, containing the terms on which he was still willing to lay down his arms. These, if his own report of them be correct, could not in justice be considered either partial or exorbitant: since the disbanding of the forces of both parties, the cessation of the present hostile preparations, the departure of Pompey for his province, and the restoration of their former freedom to the popular assemblies, were the principal points insisted upon.*

With the first intelligence of the passage of the Rubicon, the senatorial party, as if Caesar had been already at the gates of Rome, began, under the influence of a panic, of which the history of their country had afforded few similar examples, to fly in every direction from the city; apprehending a speedy renewal of the barbarities formerly exercised by Marius upon their order. It then appeared, how little reliance was to be placed either upon the army which had been so readily promised for the enforcing of the late peremptory resolutions, or upon any benefit from the efforts of Pompey—who, stunned and confounded by the news of the bold movements of his adversary, appears to have lost all presence of mind at the moment when it was necessary to act with the greatest promptitude. After hesitating for a short time between his fears and his shame, he now resolved to abandon the scheme of defending the capital, and, with the consuls and the principal nobility, to retire to Capua, which he proposed to make for the present his head-quarters and centre of operations; hoping that the levies in the south of Italy would, before long, enable him to advance for the recovery of his lost ground with an overwhelming superiority of numbers. Cicero, sorely against his inclination, was obliged by this resolution to de-

* *De Bello Civ. i. 9.*

part from Rome, which he quitted preceded by his lictors, and with his fasces still entwined with laurel, before day-break on the 20th of January*, after an interview with Pompey, in which the terror and vacillation of that unfortunate general were sufficiently conspicuous†. During the stern tumult of the debates which had preceded the outbreak of the civil strife now actually commenced, his voice had still been heard in demand of the triumph which he considered due to him, until he was dissuaded from interrupting the consideration of more important matters by the consul Lentulus, who promised that, if he would suffer his claims to remain in abeyance until the settlement of the present commotions, he would be himself the first to propose the consideration of the distinction of which he was ambitious to the senate, and support his pretensions to it with all his influence‡. But with the determination of the party of Pompey to abandon Rome ended all hope, for the present, of directing the attention of the legislature to the subject, and the disappointment, although his whole mind might have been expected to be engrossed by the great events passing around, was, no doubt, acutely felt.

The messengers charged with the ultimatum of Cæsar found the two consuls, together with Pompey and the leading members of the senate, at Theanum in Apulia, on the twenty-fourth day of January. A council was immediately called to deliberate upon his proposal; which it was at length resolved to answer, by a message enjoining him immediately to abandon

* *Subito consilium cepi, ut antequam lucret exirem; ne qui conspectus fieret aut sermo, lictoribus præsertim laureatis.*—(Ad Attic. vii. 10). The exact date of this circumstance is ascertained from his epistle, Ad Attic. ix. 10. *Erat igitur in eâ, quam x. Cal. Februarii dederas hoc modo, &c. Hoc scribis post diem quartum quam ab urbe discessimus.*

† *Vidi hominem xiv. Cal. Febr. plenum formidinis, illo ipso die sensi quid ageret, &c.*—Ad Attic. ix. 9.

‡ *Ad Diversos, xvi. 11.*

all the places of which he was in possession beyond the boundaries of Cisalpine Gaul, and, having withdrawn into his province, to submit the subject of dispute to the arbitration of the great council of the state. But the demand of the discontinuance of the levies was wholly evaded, and no fixed day for the departure of Pompey specified. Cæsar, therefore, affected to consider the reply of the consuls as a mere stratagem to gain further time; but it is likely that he had never entertained the expectation, or, perhaps, the wish, that the terms offered by him would meet with a favourable reception. It is certain, notwithstanding his intimations to the contrary*, that he had not for a moment ceased to carry on his offensive operations with all diligence: having in the interval despatched Mark Antony, with five cohorts, to secure Arretium, Curio to effect the reduction of Iguvium, and, after gaining in person Pisaurum, Fanum, and Ancona, proceeding to add Auximum to his conquests, by the voluntary surrender of its inhabitants.

The news of these several events, arriving at Rome in quick succession, with the additional report that the advance of Cæsar's cavalry was close at hand, cleared the city in an incredibly short space of those members of the senate who had ventured to remain behind, with the lingering hope of a pacific determination of the existing differences. Lentulus, who, as well as Marcellus, had been recalled from Capua

* De Bello Civ. i. 10, 11. It is quite evident from these chapters that Cæsar intended it to be believed by his readers, that he had patiently waited at Ariminum for the answer of the consuls, without advancing further southwards. At the same time, no fact can be better established than his reduction of most or all of the towns mentioned above, before his reception of any reply. Cicero (*Ad Attic.* vii. 18.) mentions the surrender of Ancona as occurring some days before the arrival of Luc. Cæsar at Theanum, and even (*Ad Diversos*, xvi. 12.) as preceding his own departure from the city. He adds:—(*Ad Attic.* vii. 18.) *Cæsarem quidem L. Cæsare cum mandatis de pace misso, tamen aiunt acerrime delectum habere, loca occupare, vincere præsidii. Oh perditum latronem! &c.*

on the 7th of February, to draw an additional sum of money from the treasury for the benefit of Pompey, and afterwards to take his departure from Rome with the usual ceremonies of a consul proceeding on an important military expedition, immediately withdrew with all haste in company with his colleague, leaving the sacrifices customary on such occasions unperformed. Pompey, at the same time, retired further into Apulia, where the two legions received from Cæsar were stationed; disheartened with the reluctance shown by the people of Campania to arm in his favour, and, in his despair of being able to maintain Italy, designing to transfer the war, as soon as possible, into Greece. It is evident from several letters written from Capua, Formiæ, and Cales, that Cicero fully penetrated into his design; and that, although it was perhaps now unavoidable, he foresaw from the first its ruinous consequences. His complaints against the weakness of Pompey, and the timid policy of his adherents, who, including Cato himself, were, at this time, shrinking before a crisis which they had provoked, are long, bitter, and, it is to be feared, well deserved. The movements of his own party, after every allowance has been made for the disadvantages under which they laboured, must, at least, be allowed to have been characterised by a singular degree of irresolution and confusion, while the plans of their enemies were formed and accomplished with a prudence and celerity which ensured success to their most difficult operations. Thus, while the consul Lentulus was alternately arming and disarming the school of gladiators belonging to Cæsar at Capua, and Pompey remaining motionless, (although at the head of a sufficient number of faithful troops to materially harass his adversaries, even if he deemed it prudent to decline meeting them in the field,) their active enemy was overrunning the whole of Picenum without opposi-

tion; and, having driven *Lentulus Spinther*, at the head of ten cohorts, from *Asculum*, and taken possession of the town, was busily engaged, after detaching *Mark Antony* to receive the surrender of *Sulmo*, in making preparations for the siege of *Corfinium*. Into this city *Lucius Domitius*, the new governor of *Cisalpine Gaul*, having levied a force of twenty *Marsic* and *Pelignian* cohorts for the defence of his province, had thrown himself with the greater part of his followers; and having crowded the battlements with his engines, and made every arrangement for a resolute defence, despatched letters to *Pompey*, advising him to fall upon the communications of the besiegers, and, while he himself kept them in play in front, to hem them in between his army and the walls of the town*. This advice, however prudent it might have been in some respects, was not complied with; since *Pompey*, either too obstinately resolved upon making *Greece* the theatre of the contest to waste his strength in any other quarter, or distrusting, as he himself alleged, the inclinations of the troops about him, instead of marching to the support of *Domitius*, sent urgent and repeated injunctions to him† to abandon *Corfinium*, and to join him with all speed at *Luceria* with the forces under his command. He, at the same time, wrote to the two consuls, who were observing the motions of *Cæsar*, to unite their army with his own; preparatory to a retreat towards *Brundisium*, whither he had already despatched fourteen cohorts for the purpose of securing the harbour. Unfortunately for himself, only one of these orders was complied with. *Domitius*, with singular rashness, continued to linger

* *Cæsar*, *De Bello Civ.* i. 17.

† *Quamobrem etiam et etiam te rogo et hortor, (id quod non destiti superioribus literis a te petere,) ut primo quoque die Luce-riam advenias.—Etiam atque etiam te hortor, ut cum omni copiâ ad me quam primum venias.*

in and about Corfinium, until, as Pompey had more than once predicted*, he was fairly blockaded, and precluded from all hope of escape by the army of Cæsar and the garrisons drawn by Curio from Etruria and Umbria, and compelled to stand a siege without the remotest prospect of relief. Corfinium was surrendered seven days after the commencement of active operations against it, and a loss inflicted by its fall which sank the spirits of the Pompeian faction to the lowest degree of despondency. Their leader, on gaining information of its reduction, hastily fell back from Luceria to Canusium, and from thence to Brundisium, where he lost no time in embarking a considerable division of his army, with the consuls at their head; remaining himself with twenty cohorts to defend the town, until the return of his vessels from the opposite coast, when it was his intention to follow, with the rest of his forces, his first detachment into Epirus. Cæsar, however,—whom Cicero terms upon the occasion a prodigy of vigilance and activity†, —in the meantime advancing with incredible celerity from Corfinium towards Apulia, through the districts of the Ferentani and the Larinates, with six legions, was not long in appearing before the place; and, after the failure of a renewed attempt to bring about a peaceable negotiation, commenced, for the purpose of

* Quod veritus sum factum est ut Domitius implicaretur. Quod putavi et præmonui sit ut nec in præsentia committere tecum prælium velit, et omnibus copiis conductis implicet.—See the letters of Pompey to Domitius, and to Marcellus, and Lentulus, contained in *Ad Attic.* viii. 12, which, like many others of the same period, may be considered as models of military despatches, and are certainly unsurpassed, if indeed equalled, by any similar productions of later date.

† The expedition by which Cæsar's movements were at this characterised, seems to have produced a general feeling of amazement, which is amusingly expressed by the earnest language of Cicero. "*Cum hæc scribebam v. Cal. Pompeius jam Brundisium venisse poterat. Sed hoc tempus horribili vigilantia, celeritate, diligentia est.*"—*Ad Attic.* viii. 11.

blocking up the harbour, the construction of the enormous floating fortresses which he has described at length in his Commentaries. Against these Pompey was compelled to prepare additional means of protection in the shape of his largest transports, provided with towers and huge stages for the reception of the ponderous engines which supplied the place of artillery in the armies of antiquity; and for some days an uninterrupted storm of missiles was poured both from the sea and land defences of the town, and answered with equal fierceness by the archers and slingers, as well as the more powerful instruments of offence, of the assailants. This continued until the return of the fleet from the opposite coast, when Pompey, having ordered his troops to embark with as much secrecy as possible, intersected, while they were getting on board, the several streets of Brundisium with deep trenches, which were planted with sharp stakes and covered with hurdles and loose earth. The principal ways leading to the harbour he further fortified with strong pointed beams, and placing a number of his light troops upon the ramparts to impose upon the enemy till the last moment, repaired, after seeing the whole squadron ready to weigh anchor, on board his own galley, and stood out to sea shortly after sunset*. The archers whom he had left behind to man the walls, then leaving their posts, rushed hastily towards the beach, where they were received into the boats and vessels stationed for their reception; and the town being thus deserted, the soldiers of Cæsar, informed by signals on the part of the inhabitants of what had happened, in a short time afterwards planting their scaling ladders against the walls, entered the place from several quarters; being enabled, by means of the same friendly intimations

* On the 15th of March. *Litteræ missæ ante lucem a Lepth Capuâ redditæ sunt. Idib. Mart. Pompeium a Brundisio conscendisse.*—Ad Attic. ix. 14.

by which they had been at first summoned to the attempt, to avoid the mischievous impediments left in the way by the retiring enemy*. Cæsar would have considered himself but too fortunate, if he had been provided with the means of following his adversaries immediately into Greece, and finishing the war by a single blow. Being, however, wholly destitute of transports, he was obliged to content himself, for the present, with giving orders for the immediate collection of a fleet in the harbour of Brundisium; and deeming it expedient, since his principal enemy had eluded his grasp, to lose no time in crippling his resources in other quarters where they were most considerable, he decided upon carrying his arms without further delay into Spain, at that time held by Afranius and Petreius, the lieutenants of Pompey, at the head of five legions and a considerable force of auxiliaries. In pursuance of this plan he returned to Rome in haste, to raise the requisite funds and to make the necessary preparations for the approaching campaign.

In the meantime, Cicero had continued in Campania, dispirited by the failure of his efforts to effect a peace, disgusted with the precipitate retreat of his party, and wavering more and more daily in his former resolution to exert himself in the cause of Pompey, after the determination of that general to abandon Italy. At no period of his life was his conduct distinguished by greater uncertainty, and, it is to be feared in some instances, by greater disingenuousness, than at this. Like the other leaders on the same side, he had been summoned to unite the force he might be able to collect with the main army by two letters; the first, directing him to advance towards Luceria, and the second, along the Appian road to Brundisium†. To both he had returned evasive answers; pretending a willingness

* Cæsar. *De Bello Civ.* l. 28.† *Ad Attic.* viii. 2.

to defend Terracina and the* neighbouring coast, while yet uninformed of the design of quitting Italy, and afterwards expressing his belief that it would be impossible to move from his position, since the country through which his march must be directed was already in the hands of the enemy. His military command had been, in fact, little more than nominal, since he was altogether unprovided with funds for carrying on any extensive levies, and his inclination for the service does not seem to have risen above the level of his resources. There is great reason to believe, however, that his inaction, of which he afterwards made a merit to the opposite party, was, to a considerable extent, the result of a perception of his own interests. It is, at least, evident, that the vision of a triumph, which could now only be obtained through the medium of Cæsar, still floated before his imagination, and it seems far from improbable, that this means of gratifying his vanity had no inconsiderable share in producing the feebleness and languor with which he at first entered upon the duties devolved upon him at Capua, and, finally, abandoned them altogether*. It is, at the same time, certain that his conduct was such as to lead the principal members of the faction of Cæsar to view him in the light of a secret well-wisher to their cause, while, in the camp of Pompey, he was almost openly denounced as a traitor to the principles which he had a short time before professed. Many temptations were, indeed, held out to induce his quiet acquiescence in the unexpected success of those who were opposed to the senate. His son-in-law Dolabella and some of his most intimate friends were strenuously exerting themselves in their service.

* Sit enim nobis amicus, quod incertum est, sed sit; deferet triumphum. Non accipere ne periculosum sit, an accipere invidiosum ad bonos.—Ad Attic. viii. 3; a passage pregnant with meaning, and highly important for the due appreciation of much of Cicero's subsequent policy.

His wife and daughter were yet at Rome, and in danger of falling into the hands of the victor, whenever he should think fit to take possession of the already conquered capital. Applications, in terms flattering to his vanity, were constantly made to him by Cœlius, Balbus, and others, to induce him to offer his assistance to their leader as a mediator between the rival factions; and Cæsar himself, while on his hasty march towards Brundisium, had written to thank him for his late conduct, and to request him to return to the metropolis, in order that he might avail himself of his "wisdom, influence, and dignity" in settling the affairs of the republic*. His letters to Atticus, written almost daily at this crisis, exhibit a singular picture of the distress of mind to which he was reduced by the war between his feelings of interest and convictions of duty. All are full of the severest censures of Pompey, and lamentation over the lost prudence and constancy which had once distinguished his character. The failure of his own does not seem to have occurred to him, although it must have been obvious to every one else. With the view of still possessing the means of joining his exiled Order, if he should ultimately determine upon that course, he had commanded two vessels to await his directions—the one stationed at Caieta, and the other at Brundisium†; keeping as long as possible the means of escape open either by the upper or by the lower sea. Yet, with every facility for taking this decisive step, he continued to hesitate, being neither willing to incur the direct charge of apostacy, nor able to summon sufficient disinterestedness and courage to put everything to the hazard, by sailing to increase the number and influence of the adherents of Pompey; although he was painfully sensible that his vacillation was open to the most unfavourable interpretation, on the part of his late allies, and daily the sub-

* Ad Attic. ix. 6.

† Ad Attic. viii. 3.

ject of their harshest censure. While this state of feeling is indicated in every page of his correspondence, it is impossible to view his pompons expressions of extravagant devotion towards the leader whom he had recently forsaken, and whom he might yet have materially assisted, in any other light than mere exaggerations simply dictated by his sense of the part which it would have been most decorous for him to act. In one epistle he writes in reference to Pompey :—"As in affairs of love any appearance of inelegance, folly, or want of neatness, is apt to alienate us from the object of our affections, my devotion to him was for a while suspended by the meanness and disgraceful character of his flight ; not a single action having been performed by him, at that time, which manifested that he was deserving of my companionship in his retreat. Now, however, my fondness again breaks forth, and I find myself unable to endure the loss of his society. Neither books, nor literature, nor philosophy, affords me any relief in my distress. Night and day my gaze is fixed upon the sea, over which, like the bird alluded to by Plato, I long to direct my flight*." His expressions on receiving news of the preparations making against Brundisium are in a similar strain :—"At this juncture, my friend, I earnestly entreat you to advise me to the best of your ability what course to pursue. An army of Romans besieges Cneius Pompey—blockades him with trench and rampart—prohibits him from the means of flight. And do we still exist ? Does the city of Rome yet stand ? Do her prætors continue to distribute justice ? Her ædiles to exhibit their games ? Her men of substance to lay out their money at interest ? Nay, do I myself sit still ? Shall I not rather madly rush forth, and excite the people of the municipal towns to insurrection ? Alas !

* Ad Attic. ix. 10. ; Ibid. ix. 12.

the well-disposed will not follow me; the unprincipled will deride me; the revolutionary party, who are not only well-armed but victorious, will restrain me by force. What, then, is your opinion? What your advice respecting the end of this most miserable existence? Now, indeed, am I grieved and tormented, since some may imagine that I have been prudent and fortunate in my resolution of remaining behind. How different are my own sentiments! for never have I so much wished to share the successes of my friend, as to be a partaker of his calamities*." These are the words of the rhetorician, not of the devoted adherent—of the man who tells us elsewhere that, in his doubts as to the exact course which it was incumbent upon him to pursue in this season of perplexity, he amused himself with declaiming on both sides of the question in Greek and Latin†, rather than of one, who in the integrity of his purpose could well afford to dispense with the ingenuity of sophistic arguments, either for the satisfaction of his own conscience, or the defence of his actions from the censure of others. While he was indulging his pathetic laments for the absence of Pompey, the sea was open to him, and the sails of the galleys provided for his flight already fluttering loose in the wind; and after the state of distraction and doubt, which he has described as almost prompting him desperately to exert his eloquence to excite Italy to a rebellion, we find that he quietly subsided into a condition of utter inactivity, by which, without ensuring the favour of the opposite party, he for a time completely lost the respect of his own.

By the efforts of the friends of both, an interview was appointed between Cæsar and Cicero, while the

* Ad Attic. ix. 2.

† The subjects of some of these theses are given, Ad Attic. ix. 4., *Εἰ μινετόν ἐν τῇ καρδίᾳ τυραννευμένην*, &c. &c. &c.

former was on his way from Brundisium to Rome. From a complimentary correspondence which had lately passed between them, it was anticipated that this might terminate in their permanent union; but whether Cicero was nerved on the occasion to more than ordinary constancy, by the conviction that his character for independence was now completely at stake and must be permanently affected by his conduct, or whether Cæsar was not sufficiently deferential in manner, and remiss in promising the triumphal honours which it was probably expected he would have offered, it is certain, that any additional feeling of friendship, on either side, was far from being engendered by the meeting. Cicero has given an account of the conversation which took place, and his letter to Atticus in which it is recorded is well deserving attention *. "I have complied," he writes, "in both respects with your advice; for my discourse with Cæsar was of such a nature as rather to induce him to feel respect than gratitude towards me; while I remained firm in my resolution of not returning to the city. Yet, in my expectation that he would easily be persuaded to give his assent, I was utterly deceived. Never have I seen a person less pliable. He affirmed, that if I refused to come, his conduct would appear to be condemned by my absence, and that others would be induced to show the same reluctance. I answered, that my own case was peculiar. After a long discussion he exclaimed:—'Well, then, come for the purpose of negotiating a peace for us!' 'May I do so,' I inquired, 'on my own terms?' 'Do you suppose,' he asked in reply, 'that I should venture to prescribe them to you?' 'This, then,' I continued, 'will be the course I shall pursue: First, I will endeavour to procure a decree of the senate to forbid forces from being

* Ad Attic. ix. 18.

conveyed into Spain or Greece. In the next place, I will draw a pathetic description of the condition of Pompey.' 'Such subjects,' he answered, 'I will never allow to be mentioned.' 'So I thought,' I rejoined, 'and for that very reason refuse to come, because I have no other course but to absent myself altogether, or to speak on these points, and on many others upon which I should find it impossible to keep silence.' Our interview ended by his requesting me, as if seeking a means of escape from the argument, to take further time for deliberation. This there was no refusing, and on these terms we separated. From all that passed, I believe I am no favourite with Cæsar. I have, however, the approbation of my own conscience, a feeling to which I have long been a stranger. For the rest, ye gods! what characters are those about him. What a fiendish-looking band, to use an expression of your own*. Among others I observed Eros, the son of Celer. How desperate does his cause appear! How abandoned his followers!—Here the son of Servius—there the son of Titinius; the whole multitude, in short, who lately blockaded Pompey,—in all six legions. The daring and vigilance of the man are astonishing; I foresee no end of our calamities.

"Aid me, I beseech you, with your best advice in the present emergency, for the crisis has now arrived. I had, however, almost forgotten his last most offensive expression, namely, that if he were precluded from making use of my counsels, he would have recourse to those of others; and, in fact, descend to any expedient he might deem necessary.

"'You have seen, then,' you will remark, 'the man to be just as I had described him.'—I have; and have lamented over the confirmation of your previous opinion. For this, and for every other suitable feeling,

Qui comitatus!—quæ, ut soles dicere, rēxia!

you will give me full credit. I have nothing further to add, but that on parting, he pursued his journey to Pedum, while I set out on my return to Arpinum."

From the moment of his interview with Cæsar, the resolution of Cicero to withdraw from Italy appears to have gained additional strength. He was, however, still detained, first, by his intention of investing his son with the manly gown, and, subsequently, as the summer was drawing near, by his reluctance to put to sea until there should be an almost certain prospect of a favourable navigation. While he, therefore, yet remained in his brother's house near Minturnæ, to which he had retired for the sake of greater privacy, watching anxiously, as he states, for the arrival of the swallows as the signal for his departure*, Cæsar having disposed everything according to his wishes at Rome, and procured, in spite of the fruitless opposition of the tribune Metellus, an enormous sum from the public treasury for carrying on the war, proceeded to wrest the province of Spain from the hands of the Pompeian faction. But, while on his march, he thought it necessary, in consequence of a report which had reached his ears of the preparations of Cicero for his departure, to leave strict orders with his officers not to suffer any person of rank to quit the Italian ports without especial permission; at the same time despatching an epistle, in which he endeavoured to alter the determination which had been intimated to him, in the following terms:—

"CÆSAR, IMPERATOR, TO CICERO, IMPERATOR |.-

"Although well assured that I have no reason to suspect you of any rash or imprudent design, I have, notwithstanding, been induced by a very prevalent rumour to request you, by every kind feeling which exists between us, not to think of repairing to a party

* Ad Attic. x. 2.

+ Ibid. 8.

now involved in ruin, and which you had determined not to join while its resources were still unimpaired. For, by so doing, you will inflict a serious blow upon our friendship, while you entirely neglect your own interests ; since you will appear, by your departure, not to be seeking a more prosperous fortune, (inasmuch as fortune has invariably declared itself in my favour,) nor to assist the cause you formerly espoused, (for this remains the same as when you refused to aid it with your counsels,) but rather to condemn some part of my late conduct, by this means wounding my feelings in the severest manner possible. By all the rights of friendship, therefore, I entreat you to be better advised. What, let me in conclusion ask, can be more suitable to the character of a virtuous and peaceable man, or of a good citizen, than studiously to avoid taking any part in civil commotions ; from which I may also hint, that many who would otherwise have been induced to take part in them, have been deterred by the simple consideration of their own danger ? After you have reflected upon the evidence of my intentions afforded by my whole life, and on the impartiality of the friendship which prompts this opinion, you will find no course more safe or more honourable to yourself than to refrain from contention in every form. Dated on the road, this 16th day of April."

The letter of Cæsar was received almost at the same time with one from Antony to a similar effect. This unblushing profligate Cicero has described as at the time parading in insolent triumph through the different towns in his chariot drawn by tame lions, accompanied by his mistress, the actress Cytheris*, as well as his wife, and followed by a train of carriages filled with the abandoned companions of his sensuality. He had been commissioned by Cæsar to

* Ad Attic. x. 10 ; Ibid. x. 13.

command the troops left in Italy during his absence, and was now on his way-towards Misenum, probably with the intention of appointing proper agents to watch the adjacent coast. His epistle, which little resembles that of the assassin to his future-victim, is thus worded :—

“ANTONY, TRIBUNE OF THE PEOPLE AND PROPRÆTOR,
WISHES HEALTH TO CICERO, IMPERATOR.

“Unless my friendship towards you were excessive, and much greater than you imagine, I should feel no apprehension from the rumours which are current respecting your intentions—especially since I consider them without foundation. But because my attachment is unbounded, I cannot dissemble the truth, that even false reports have great weight with me when you are the subject of them. It is surely not to be believed that you are meditating to retire beyond the sea,—regarding as you do your son-in-law Dolabella, and your daughter Tullia, that most exemplary woman; and being yourself held in so much esteem by all of us, whose concern, I swear to you, for your dignity and honour, is greater if any thing than your own. I could not, however, suppose it to be my part as a friend, to be indifferent respecting the discourse even of the worthless, especially considering the delicate part imposed upon me by our late differences—which were the effect rather of my jealousy than of any injury of which I had to complain. For I wish you to be persuaded, that no one is dearer to me than yourself, with the exception of my beloved Cæsar, and that I am also convinced, that Cæsar reckons Marcus Cicero among his most valuable friends.

“Therefore, my dear Cicero, I beseech you, on the one hand, to let matters remain as they are, and to disregard the friendship of a man who first inflicted an injury, that he might have an opportunity of conferring a benefit; and, on the other, not to

fly from one who, even if he felt no affection for you, (which is altogether impossible,) would still earnestly desire you to continue in safety and honour. I have sent to you, as a particular mark of esteem, my most intimate friend Calpurnius, that you may know my anxiety concerning your safety and dignity."

From his friend Coelius, who was on the point of setting out with Cæsar for Spain, he also received advice well calculated to act upon his timid temperament. The latter, after expressing the utmost concern at his determination of abandoning his country, proceeds to warn him to the following effect* :—

"I earnestly entreat and conjure you, Cicero, by your fortunes and your children, not to take any resolution unfavourable to your welfare and safety. For I call gods and men, as well as our friendship, to witness, that my predictions and warnings are founded on no rash and hasty conclusion; but that the intelligence I convey is the result of a personal interview with Cæsar, in which I ascertained from himself the plan he is determined to pursue, if victorious. If you think that he will retain his former clemency and moderation in dismissing his enemies, and proposing terms of peace, you are greatly mistaken. His designs, as well as his expressions, are characterised by nothing but fierceness and severity. He has set out from the city highly enraged with the senate, on account of the late intercessions. I solemnly assure you, there will be hereafter no opportunity of deprecating his resentment. If, therefore, your only son, your family, your expectations for the future, are of any value to you; if I myself, or that excellent man your son-in-law, continue an object of your regard, it is your duty not to throw us into such a condition of suffering or perplexity, that we shall be compelled either to execrate and abandon the cause, in the ascendancy of which our only se-

* *Ad Diversos*, viii. 16.

curity consists, or by desiring its success, necessarily to indulge an impious wish against your safety. .

“ Consider, in fine, how much blame you have already incurred by your hesitation and delay. Surely it would be the extreme of folly to act against Cæsar when victorious, after making no hostile movement against him, as long as the contest continued undecided ; and to join a party now consisting of fugitives, which you avoided, while still offering resistance. Beware, lest while ashamed of not having fully acted the part of a man of rank, you end by adopting that course which is least worthy of one. But if you will not follow the whole of this advice, at least let me prevail upon you to wait until you hear the result of our operations in Spain, which I predict will be ours as soon as Cæsar arrives in the country ; and what hope the opposite party can entertain after its loss I know not. What can be your own design, moreover, in joining yourself to those whose cause is utterly desperate, I am equally at a loss to conjecture.” Such representations might naturally have been expected to produce the effect intended by the writer upon an individual of greater constancy and resolution than Cicero. But it appears that his mind was preoccupied by terrors, which more than counterbalanced his dread of Cæsar’s wrath on account of his departure. He had latterly begun to listen to the report, that the return of the army acting against the lieutenants of Pompey in Spain would be a signal for a general proscription and massacre, which it would be impossible for their leader to prevent, even if he should desire it. Under the impression*, therefore, that he was choosing the least imminent of two dangers,

* It has also been conjectured that certain rumours of the defeat of Cæsar’s army in Spain might have induced him to determine to join the army of Pompey immediately. This, however, is mere surmise.

he continued his preparations for his flight, which he intended should be shared by his son and nephew Quintus; the latter of whom had given him, as well as his own father, considerable anxiety by a rash and ill-advised journey to Cæsar, which ending without the production of any benefit to himself, had threatened seriously to compromise his nearest relations. It was, however, no longer an easy matter to elude the vigilance of Antony, who was yet in his neighbourhood, and strictly observing, according to his instructions, all means of egress from Italy by the Tuscan sea. To him Cicero at first applied, under the avowed, and possibly the sincere, intention of proceeding to Malta, and there, as in a neutral territory, awaiting the issue of the war. The reply of the tribune, which is complimented with the title of a display of drunken insolence*, shows how soon this ready agent of a daring faction could drop the mask of urbanity and politeness, when his inclinations were thwarted, and assume the stern and authoritative tones of the imperious soldier, regarding nothing but the will of his superior in command. "How consistent with sincerity," he ironically commences, "is the plan you propose! He who wishes to remain neutral continues in his own country. He who abandons it makes himself instantly a partisan. I, however, am not the person to determine who is licensed to depart, and who must be compelled to remain. My duty, according to the wish of Cæsar, is to suffer no individual whatever to retire from Italy. It is of little consequence, therefore, whether I approve of your conduct or not, since I am not instructed to make any concession in your favour. My opinion is, that you should communicate with Cæsar himself, and prefer your request to him. I doubt not that you will obtain it, especially since you promise to do it

* Vide quam ad hæc παρρησιας, &c.—Ad Attic. x. 10.

in such a manner as to show your continued regard for the friendship between us."

A reply couched in such unambiguous terms left no ground for doubt that any attempt to effect what the commission of Antony was expressly* intended to guard against, would be opposed by open force. There now, therefore, remained but the expedient of a secret escape, which Cicero was not slow to adopt. "You see," he observes by way of comment upon the above letter, "what a genuine Spartan scroll I have received. I will, however, yet contrive effectually to overreach my correspondent*." In following out this resolution, he set out shortly afterwards from Cumæ for his villa near Pompeii, as if he had been induced to despair of being able to quit Italy; and finding that Antony, as he had expected, was induced by his movements to believe that he had now made up his mind to obey the prohibition of Caesar, completed without molestation all arrangements for his voyage. While thus employed, he was visited by a deputation from the inhabitants of Pompeii, and from the centurions of three cohorts stationed there in garrison, offering, if he would undertake to place himself at their head, to surrender the town into his hands, and to commence an immediate insurrection against Caesar. Although, however, he had just before mentioned to Atticus an intention of following the example of Cælius Caldus, (who had distinguished himself by his efforts to excite the people of Italy against Sylla,) expressing, at the same time, an opinion that, from the growing disaffection among the troops, a most favourable opportunity had now presented itself for erecting the standard of revolt, he was far from being the person seriously to intend placing himself at the head of any such movement; nor, indeed, considering the

* Ησβες σκυτάλην Λακωνικήν. Omnino excipiam hominem.—
Ad Attic. x. 10.

† Ad Attic. x. 12.

slight prospect of success it held out, could he justly be blamed for declining an undertaking so desperate. He, therefore, left his villa at day-break, on the following morning, for the purpose of avoiding a meeting with the deputation ; proceeding towards Formiæ, where he was still prevented for some time, by the prevalent calm, from embarking. On the 8th of June, having at length obtained weather suitable for his sailing, and received intelligence just before quitting Formiæ of the birth of a grandchild, he went on board the vessel he had procured to convey him into Greece, in company with his brother, his son, and nephew ; and from thence wrote a farewell letter to Terentia, informing her of his recovery from a sudden and severe indisposition, and desiring her to offer the usual sacrifices in his stead to *Æsculapius* and *Apollo**. Of his subsequent voyage to the coast of Epirus, or the time of his landing there, we have no account,—his letters to Atticus and to his other friends, for several ensuing months, not forming part of his extant correspondence.

He found at Dyrrachium the principal supporters of the cause of Pompey, formidable both in numbers and resources, in the dignity of their titles, and the influence of their names, but still beset by all the faults which had from the first distinguished their party,—presumption and arrogance—the want of unanimity in council and in action—and a jealousy of each other, which effectually prevented any great and simultaneous exertion for the common benefit. This alone can account, and it is amply sufficient for the purpose, for the astonishing supineness with which their leader, although with a now numerous army and a fleet of five hundred galleys at his command, in addition to possessing all the resources which the East could supply, suffered his lieutenants to be beaten in detail, and one province after another

* *Ad Diversos*, xiv. 8.

lost, without a single effort on his part to turn the tide of victory, now running strongly in favour of his rival. In immediate attendance upon his person might be seen Cato, with his melancholy aspect, long hair, and sordid vest, in token of his sorrow for the distractions under which his country was suffering; Labienus, formerly the favourite lieutenant of Cæsar, but who had deserted him at the very commencement of the war; Marcus Brutus and Caius Cassius, the future avengers of the cause, the ruin of which they were unable to avert; Bibulus, who had been the colleague of Cæsar in his first consulate; Caius Marcellus, Lentulus Spinther, and a sufficient number of general officers, to constitute an entire senate. With the fiery and impetuous youth, who represented in arms the haughty aristocracy of Rome, were mingled the gorgeous retinues of the princes of Cappadocia, Syria, and Galatia, the fierce and redoubted horsemen of Thessaly and Thrace, the practised archers of Crete, and the hardy mariners of Corcyra, Athens, and Egypt. Amidst this motley crowd, the arrival of Cicero, although by Pompey himself he was received with studied respect, does not seem to have drawn forth extraordinary marks of approbation; and it is stated by Plutarch, that Cato in private severely censured him for quitting Italy, where alone his services could now be of use to Pompey, (by the exertion of his influence with the Cæsarian faction, or, if necessary, by opposing them in the popular assemblies,) for a field of action in which he was never intended by natural or acquired habits to be conspicuous. It is further affirmed, that although he brought a considerable sum of money for the use of the army, he was not rewarded by being appointed to any commission of consequence*, and that

* He himself states that he constantly declined every commission offered to him:—"Ipse fugi adhuc omne munus, eo magis quod

he, before long, rendered himself an object of no common dislike to the vehement spirits about him, by his moderate and conciliatory counsels; which were so frequently urged, as to compel Pompey at length expressly to desire him to refrain from again introducing the mention of a peace into the general deliberations.

For some months the senatorian leaders had ample opportunity for carrying on their preparations, and training their forces, which now amounted to nine legions of infantry, besides an immense host of auxiliaries, and seven thousand cavalry, without any prospect of an interruption on the part of their antagonist. But towards the close of the year, Cæsar having returned victorious from Spain, and secured at the comitia, over which he presided as dictator, the return of himself and Publius Servilius, as consuls, began, undeterred by the tempests of winter, to make the necessary arrangements for transporting his army from Italy to the shores of Greece. He himself, the moment after he had performed the usual inaugural ceremonies, set out for Brundisium; where, on the 4th day of January, A. U. C. 706, he embarked, with twenty thousand infantry and six hundred horse, and having fortunately escaped the far superior fleet of the enemy, consisting of a hundred vessels of war, (which, under Bibulus, was lying in the harbours of Coreyra, prevented from putting to sea by the terrors of the season,) succeeded in landing his army at Pharsalus in Epirus; equally regardless of the weakness of his convoy, which amounted to but twelve armed galleys, and the terrors of the iron-bound coast, lying beneath the thunder-stricken heights of the Acroceraunian mountains*. It does

Ita nihil poterat agi ut mihi et meis rebus aptum esset.—Ad Attic. xi. 4. Written from the camp at Dyrrachium, and, as it is evident, shortly after the repulse of Cæsar.

* Cæsar, *De Bello Civ.* iii. c. 6.

not fall within the scope of the present work to enter at length upon the particulars of the celebrated campaign which followed. The demonstrations of the two armies upon the Apsus and the Haliacmon,—the various projects on either side for the preservation or interruption of the means of communication with Italy—the gigantic works raised by the contending generals in the neighbourhood of Dyrrachium, and the subsequent masterly movements of both in an intricate war of detachments for the occupation or defence of important positions, would be more suitably described in a life of Caesar than of Cicero. Of most of these the latter was probably an eye-witness; and in some instances perhaps actively engaged in the operations of the army to which he was attached. In his character of Imperator, he might have been entrusted to defend some part of the famous lines extending for the distance of fifteen miles, and strengthened by twenty-four forts, by which Pompey opposed the still more astonishing works of circumvallation thrown up by his antagonist. He might also have been one among the combatants in the sternly contested action, in which Caesar suffering, for the first time, a serious and almost fatal repulse, in an attempt to force the entrenchments of Pompey, was only saved from ruin by the hesitation of the victor, and compelled, after a loss of two thousand of his best troops and thirty standards, to abandon the whole of the fortifications on which he had bestowed so much time and labour, and to commence his retreat into Thessaly*. The picture, however, drawn of him at this period by his ancient biographer, is anything but that of a zealous and enterprising officer. He is said, probably under the influence of disappointment at not finding his services appreciated to the extent which he had expected, to have made no

* Dio, xli.—Caesar, *De Bello Civ.* lii. 67.

secret of his repenting his voyage to Epirus, and while wandering about the camp with a solemn expression of countenance, as well as when summoned to attend the general councils, to have amused himself with a succession of keen and petulant witticisms against the general plan of the campaign*. Yet he appears, at least, to have acted in many instances the part of a sound and judicious adviser, whose plans, if they had been followed, would have saved Pompey from the ruin into which he was soon afterwards precipitated; since he was one of the few who strenuously advised him to protract the war by every means possible; and, while availing himself of his unquestionable superiority by sea for the purpose of precluding the enemy from the possibility of receiving supplies from Italy, to reduce his strength by degrees, without allowing him any opportunity of retrieving his fortune by coming to a decisive engagement†. Such

* "Some of Cicero's sayings on this occasion are preserved by different writers. When Pompey put him in mind of his coming so late to them,—'How can I come late,' said he, 'when I found nothing in readiness among you?' And upon Pompey's asking him sarcastically where his son-in-law Dolabella was:—'He is with your father-in-law,' replied he. To a person newly arrived from Italy, and informing them of a strong report at Rome that Pompey was blocked up by Cæsar:—'And you sailed thither, therefore,' said he, 'that you might see it with your own eyes.' And even after their defeat, when Nonnius was exhorting them to courage, because there were seven eagles left in Pompey's camp,—'You encourage well,' said he, 'if we were to fight with jackdaws.' By the frequency of these splenetic jokes, he is said to have provoked Pompey so far as to tell him, 'I wish that you would go over to the other side that you may begin to fear us.'—Vide Macrob. Saturn. ii. 3.; Plut. in Cic. i."—Middleton's Life of Cicero, p. 434.

† The same plan is suggested by Cælius, who had now deserted the cause of Cæsar, and was preparing to excite the useless insurrection in the course of which he lost his life, in his epistle to Cicero:—*Ad Diversos*, lib. viii. 17. *Quod istic facitis*, &c. "What are you doing on the other side of the water? Are you imprudently waiting to give the enemy battle? What Pompey's forces may be, I know not;

opinions, impatiently listened to before by the impetuous nobility, who were loudly clamouring for battle, were treated with the utmost contempt, after what they were pleased to term the victory of Dyrrachium and the flight of Cæsar. An immediate pursuit was consequently decided upon, and after leaving Cicero, who was as much deterred by ill-humour as by the weak state of his health* from accompanying him, together with Cato and Marcus Varro, to defend his camp, with fifteen cohorts, Pompey set out with the rest of his army for the plains of Thessaly. The infatuation and folly which had hitherto distinguished the conduct of his principal adherents continued to influence them to the last. Under the same overweening estimation of their own prowess, which prompted them, on the eve of battle, to dispute among themselves for the offices of Cæsar, while that admirable strategist was yet in arms before them and calmly preparing for their destruction; as well as to entwine their tents with laurel and ivy, in anticipation of the easy determination in their favour of a contest which many among them were destined never to survive, they were not long in hurrying, by taunts and sarcasms, their leader into an engagement perhaps the least called for among the many which have been unnecessarily delivered. The armies encountered on the banks of the river Enipeus, near the town of Pharsalus, on the ninth day of August†, on a fair and open field, with little advan-

but Cæsar's I am sure are accustomed to action, and inured to all the hardships of the most severe campaigns." *Melmoth.*—Cælius was subsequently slain by the soldiers of Cæsar, at Thurii in Lucania. His principal motive for deserting his former party seems to have been his jealousy of Trebonius, whom Cæsar had entrusted with the management of the affairs of the city, during his absence, in preference to himself.

* *Me conficit sollicitudo, ex quâ etiam summa infirmitas corporis, &c.*—*Ad Attic.* xi. 5.—(From the Camp.)

† v. *Id. Sextil.* a.u.c. 706—in reality the beginning of June,

tage of position on either side, but with an immense superiority of numbers in favour of Pompey, whose force was more than double that of his opponent. The result is familiar to all in the slightest degree acquainted with general history. The vainglorious chivalry who had been so forward to provoke the conflict were routed at its very commencement, and by their flight leaving the archers and slingers, whom they were intended to support, at the mercy of the enemy, and the flank of their own army exposed to the terrible charge of the veterans by whom they had been repulsed, determined irretrievably the fate of the day. In a short time the general, who had hitherto enjoyed the reputation of being invincible, was doomed to experience the bitterness of a defeat, from which he was well aware there was no prospect of recovery, and after seeing the only part of his army which offered a determined resistance cut to pieces or dispersed, and his camp stormed by the impetuous conquerors, was compelled to fly, with but thirty horse, to Larissa^{*}; too much confounded by the greatness of his misfortune to make a single attempt to rally the wreck of his scattered forces. Of an army of forty-five thousand combatants which he had that morning arrayed against his adversary, fifteen thousand were slain, either during the conflict or in the subsequent pursuit, and more than twenty-four thousand taken prisoners; while the whole of the wealth collected in his camp, the baggage of the soldiers, one hundred and eighty standards, and nine eagles fell into the hands of the victors, whose whole loss did not amount to more than two hundred men. These results, however, were but trivial, compared since the Roman calendar was at this period somewhat more than two months in advance of the real date. It is singular that the day on which the famous battle of Pharsalia was fought is ascertained only on slight evidence. — See *Fasti Hellenici*, vol. iii. p. 198; and Appendix, 570.

^{*} Cæsar, *De Bello Civ.* iii. 96.

† *Ibid.* 99.

with the more remote advantages which might be expected to follow so decided a blow. The sovereignty of the whole Roman world was the real prize so rashly staked and so cheaply won at the memorable conflict of Pharsalia.

We learn from Cicero* that the first intelligence of the overwhelming disaster which had overtaken the arms of Pompey, was brought into the camp at Dyrrachium by Titus Labienus, who had been present at the late engagement, and an eye-witness to the rout which he reported. The news was speedily confirmed by a host of fugitives who began to flock into the place; among whom was the younger Pompey, with Marcus Cicero, who had been sent by his father with the army into Thessaly, and had been conspicuous during the campaign for activity and courage. It is recorded, that at a hurried council of war held to determine upon their future proceedings, the chief command was formally offered to Cicero, as the first among them in dignity and age, by the assembled officers of his party, and that on his prompt refusal Pompey and his friends unsheathing their swords, and branding him with the title of traitor, would have slain him on the spot had he not been rescued from their fury by the interposition of Cato†. His rejection of an appointment so fraught with danger to himself, and so evidently useless to the cause, may easily be believed, and certainly cannot but be considered as reflecting credit upon his discretion. The hurried consultation at which it might have been pronounced ended in no other resolution but that of an immediate embarkation for Italy, which took place under convoy of a Rhodian squadron, amidst

* See *De Divinatione*, i. 32, where the circumstance is mentioned by Quintus Cicero, in confirmation of a curious instance of presentiment.

† Plutarch. in *Cic.*

general confusion; the roads from the encampment being covered with immense quantities of corn thrown out from the granaries, to prevent its being of use to the enemy, and the sea reddened with the flames of a numerous fleet of transports which had been set on fire by the retreating soldiery. The fleet at first stood over to Corcyra, where Cato being resolved to sail for Africa, gave to all who chose to withdraw and submit themselves to Cæsar a free opportunity for retiring. This he again offered at Patræ, in the gulf of Corinth, whither, after the desertion of the Rhodian vessels, he directed his diminished fleet. An almost general break up of the Pompeian party was the consequence; and among the numbers who preferred the chance of a reconciliation with Cæsar to the more threatening perils of the war into which Cato was hastening, with the calm and settled resolution of not surviving its unsuccessful termination, was Cicero, who, after taking at Corcyra a farewell, destined to be final, of his more determined friend and companion, directed his course towards Brundisium. Here he resolved to await the return of Cæsar to Italy, hopeless of a favourable result to any attempt to revive the sinking liberties of his country, and almost reconciled, by the scene he had lately witnessed, to any settled form of government, which should supersede the horrors of civil bloodshed, and put a stop to the miseries, compared with which the exercise of despotism itself seemed a less formidable evil.

CHAPTER XII.

Cicero receives News of the Death of Pompey—The Party of the Senate revives—Cato and Labienus in Africa—Regret of Cicero on Account of his late Policy—He is commanded by Antony to leave Italy—Conduct of Quintus Cicero—Arrival of Cæsar at Brundisium—Cicero sets out to meet him—His Reception—He returns to Rome—Cæsar sets out for Africa—Treatises “*De Partitione Oratoricâ*” and “*De Claris Oratoribus*”—Cicero divorces Terentia, and marries his second Wife Publilia—Triumph of Cæsar—His absolute Authority—Cicero composes his “*Cato*,” which is answered by Cæsar—And his “*Orator*”—Orations for Marcellus and Ligarius—Death of Tullia—Cicero retires to Astura—Letter of Servius Sulpicius—Literary Occupations of Cicero—He composes his *Hortensius*, *Academica*, and *Tusculan Disputations*—He divorces Publilia—Cæsar returns from his Expedition to Spain—Speech for Deiotarus—Visit of Cæsar to Cicero—Consulate of Caninius Rebilus.

ALMOST the first intelligence which Cicero received at Brundisium was the news of the assassination of Pompey in Egypt. His lament on the occasion was briefly pronounced. “I never entertained any doubt respecting the death of Pompey. For so general was the opinion of the desperate nature of his cause among all princes and people, that I imagined wherever he directed his flight, this must necessarily be the result. Yet I cannot but grieve at his fate. For I knew him to be an individual of dignity, temperance, and integrity*.” Such, after all but deifying him in his orations, and expressing in his epistles the truest and most faithful attachment* to his person, was the cold and formal comment pronounced by his once enthusiastic panegyrist upon the untimely end of the conqueror of Mithridates. The perplexity and distress of mind, however, under which Cicero was labouring at the time, might, perhaps, be pleaded as

* *Ad Attic.* xi. 6.

some excuse for his dwelling so briefly upon the calamities of others. He had no sooner set foot on the Italian coast, than he began to repent of his late determination of abandoning the relics of the party of Pompey, before he had received an assurance of being again received into the favour of Cæsar. It was speedily known, moreover, that the whole province of Africa was now entirely at the disposal of the representatives of the senate. The defeat, on the part of Juba king of Mauritania, of Curio the lieutenant of Cæsar, and former correspondent of Cicero, by which a powerful force was completely annihilated, and their leader driven to suicide, had previously given some relief in that quarter to the long series of reverses which had hitherto attended the constitutional cause. This was followed by the arrival at Utica of Scipio and Labienus at the head of the wrecks of the army of Pharsalia, and soon afterwards by that of Cato with his devoted band, after a march through the sands of the desert of Barca, undertaken with singular daring, and executed with unshaken resolution. By the exertions of these and other officers of rank, a formidable host was once more drawn together, and thoroughly equipped for service; and since Cæsar was known to be engaged in a difficult and dangerous conflict with Ptolemy, king of Egypt, which held out little promise of an early termination, it was fully expected that Italy would be immediately invaded, and possibly overrun by his adversaries before he could return to its rescue. While, therefore, there was a reasonable prospect that the cause he had abandoned as hopeless, might, after so singular and unexpected a revival, even prove victorious in the end, Cicero, with his keen susceptibility to censure, was doomed to hear nothing but severe comments upon his whole conduct during the war, and the opinion openly expressed, that he

would have much better consulted his reputation by assisting with his counsels in the deliberations of the senate at Utica. With a vanity singularly consistent with his former exhibitions of the same weakness, he still retained about him the appendages of his proconsular dignity, although there was the greatest danger of exciting by this means the resentment and jealousy of the soldiers in the service of Cæsar; of whose violence he was under such serious apprehensions when approaching Brundisium, as to be induced to command his lictors to lay aside their axes and mingle with the crowd*. Yet the desire of retaining these evidences of his pretensions to distinction to the last, seems to have determined him to decline the advice of Atticus, recommending his return to Rome†, where he would have been better able to ensure the interference of the friends of Cæsar in his favour, an object to which he was now devoting himself with the greatest earnestness. Even his stay in Apulia, however, was not ensured without an unpleasant sacrifice of the character of neutrality, which he at present wished to assume. On the arrival of the news of the battle of Pharsalia at Rome, the citizens having shown their exultation at the event by tearing down the statues of Sylla and Pompey, proceeded tumultuously to pass a series of laws conferring the most extravagant powers upon the commander, who, by his recent successes, had now become the popular idol. He was declared consul for five years in succession, and dictator for the year next ensuing. The power of making peace or war was unreservedly entrusted to his hands, as well as the right of presiding at the general assemblies; while his person was rendered sacred by the additional dignity of the tribunitial office for life. These honours

* Ad Attic. xi. 6.

† Propius accedere ut vides quomodo sine lectoribus quos populus dedit possum?—Ibid.

were willingly accepted by Cæsar, who was made acquainted while in Egypt with the decays of the people in his favour. His first exercise of his authority was to create Antony his master of the horse, and to this able functionary, who was carefully guarding Italy, in which he had established an entirely military government, he at the same time sent orders, under the impression that Cato and Metellus, with other members of the same party, had retired in that direction, to suffer no one to land on any part of the coast without his especial permission. In consequence of this command, Antony was compelled to write to Cicero, inclosing a copy of the letter of Cæsar, and entreating him to retire without delay from Brundisium, using many expressions of civility, but, at the same time, assuring him, that his instructions were unconditional and imperative*. Cicero, in answer, despatched his friend Lucius Lamia to represent that Cæsar had expressly desired Dolabella to write to him, advising his return to Italy, and Antony was so far convinced of the truth of the assertion, as to exempt him by name from the restrictive edict which he forthwith published:—"Which," observes Cicero, "I was exceedingly unwilling that he should do, for the same object might have been effected equally well without the express mention of any individual †." And there is no doubt that he had good reason for his reluctance to the straightforward proceeding of Antony. Such an especial notice might hereafter be interpreted as an open declaration of his intimacy with the prevailing party, and be made use of as evidence, greatly to his disadvantage, if any unforeseen circumstances should, at a future time, place the fortune of the senate upon the ascendant, and reverse the positions at present respectively held by its friends and enemies.

* Ad Attic. xi. 7.

† Ibid.

His domestic affairs and connexions were causes of little less anxiety than the political course he had lately been pursuing. His son-in-law Dolabella, greatly to his dissatisfaction, was distinguishing himself at Rome by the most violent conduct; and having followed the example of the notorious Clodius in passing, by the ceremony of adoption, from a patrician to a plebeian family, in order to obtain the tribuneship, was paying his court to the populace by the ordinary method of proposing and urging forward a general act of insolvency in the midst of tumult and bloodshed. The conduct of Dolabella to his wife was, at the same time, fast hastening on the divorce which took place shortly afterwards with the consent of both parties. Besides allowing her, after receiving in two instalments from Cicero the greater part of a considerable portion which constituted her dowry, to suffer considerable privations, the consequences of his profusion and extravagance, he had added the severest slight which it was possible for him to inflict, by his open connexion with Metella, the wife of Lentulus, and was, notwithstanding, expecting from his father-in-law, who was at the time no stranger to pecuniary difficulties*, the remainder of her marriage portion. The health of Tullia was also beginning visibly to decline, and her meeting with her father, some months after his arrival in Italy†, from this, as well as from other causes, appears but to have contributed to the distress of both. To these sources of uneasiness was added the real or apparent indifference of Terentia to the welfare of her husband, and her neglecting to visit him during the whole time of his stay at

* Ad Attic. xi. 25.

† This meeting took place at Brundisium, June 12, A.U.C. 707. (Ad Attic. xi. 17.) Tullia mea ad me venit pridie Idus Junias. See also, Ad Diversos, xiv. 17.

Brundisium, as well as the conduct of his brother Quintus, from whom he now suffered the affliction of a serious estrangement. Quintus Cicero, instead of returning into Italy after the battle of Pharsalia, had preferred remaining at Patræ in Achaia, where, in his disgust at the unsuccessful issue of the war and apprehension of its probable consequences to himself, he constantly indulged in bitter invectives against the relative by whose advice he had been principally induced to side with the party of Pompey; which were daily conveyed to the ears of the party against whom they were directed, by the usual channel of common friends. Not satisfied with this demonstration of estrangement, he even sent forward his son to Ephesus, to meet Cæsar on his return from Alexandria, charged with letters exculpatory of his own conduct and full of representations to the disadvantage of his brother Marcus. The younger Quintus was no less violent in his abuse of his uncle, and it was evident that both himself and his father, by representing Cicero as their chief adviser, intended to make the sacrifice of his credit with the victor, the means of establishing their own*. It had been well for the reputation of all parties mentioned in it, and no less for that of its author, if most of the correspondence with Atticus, during the years A.U.C. 706 and 707, had perished; so striking are the pictures contained in it of the weakness, timidity, and irresolution, as well as the general selfishness, induced

* Ad Attic. xi. 10.—in which he states, that his friend Terentius had seen Quintus Cicero the younger at Ephesus, when the latter had shown him a long oration which he was preparing to deliver against his uncle, in the presence of Cæsar. Cicero had the more reason to complain of this conduct, as he had written to Cæsar a short time before expressly to exculpate the elder Quintus from the charge of having in any measure contributed to his uniting himself with the party of Pompey. This letter he quotes verbatim. Ad Attic. xi. 12.

by the distracted character of the times. Almost every page is pregnant with apprehensions and regrets, with the morbid repinings and useless laments of Cicero over his imprudence in bringing himself into a situation in which, to use his own words, nothing but the success of a cause to which he had always been averse could prove of service to his interests. Neither the constant assurances of the friends of Cæsar, nor the numerous recent instances of clemency on the part of that leader, nor even the circumstance of his having forwarded the late letter of Quintus Cicero to Rome, with express directions that it should be shown to the person it was meant to injure, proved sufficient to relieve the disquietude of mind under which he continued to labour; finding a fresh cause for alarm in every new rumour, and looking with suspicion on each instance of forbearance towards the members of his party as an additional proof of some ulterior design against them, which, at present, it was not thought prudent to reveal*.

He was at length relieved from this state of uncertainty and dread by a letter from Cæsar himself, containing the most friendly expressions†, and even

* Among the letters written from Brundisium is one to the celebrated Cains Cassius, (*Ad Diversos*, xv. 15.) requesting his advice and opinion as to the writer's present condition, and claiming the merit of a common policy with him in his late resolution of abandoning further resistance. The place assigned to this letter by the arrangement of Schütz is between *Ad Attic.* xi. 24 and *Ad Attic.* xi. 20. Cassius had been appointed by Pompey to command a considerable fleet of Syrian and Phœnician vessels, which he afterwards surrendered to Cæsar, in the mouth of the Cydnus, where he had stationed his squadron in the hope of finding an opportunity of assassinating the latter, on his arrival in the river. His sudden submission, instead of following out this design, naturally brought upon him the charge of treachery and cowardice from his own party.

† *Reddita mihi tandem sunt a Cæsare litteræ satis liberales; et ipse opinione celerius venturus esse dicitur.*—*Ad Diversos*, xiv. 23. The following inscription is given by Fabricius, *Antiq. Mon.*, lib. iii., and asserted to have been found at Viterbo, in Etruria:—*C. Julius Cæsar, M. Tullium Ciceronem, ob egregias ejus virtutes,*

allowing him still to exhibit those coveted ensignes of dignity—his laurelled fasces and proconsular retinue—for as long a time as he should deem it expedient to retain them. A personal interview shortly afterwards completed the reconciliation thus begun. After finishing the Alexandrine war, and dissipating, in a brief summer campaign of five days' continuance, the formidable rebellion of Pharnaces of Pontus, Cæsar suddenly landed in the month of September, A.U.C. 707, at Tarentum; deceiving, in the quickness of his return, the expectations both of friends and enemies. On the news of his approach towards Brundisium, Cicero, who had at first intended to send forward his son, in company with Uncius Sallustius, to meet him, at length summoned courage enough to set out for that purpose in person. He has not himself left any particular account of the manner in which he was received, but the deficiency is supplied by Plutarch; who states, that although he commenced his journey with some shame and reluctance at the thought of trying how he stood in the opinion of a victorious enemy, before so many witnesses, he soon discovered that he had no occasion to say or do anything beneath his dignity. Cæsar, writes the same historian, no sooner saw him at some considerable distance advancing before the rest, than he dismounted and ran to embrace him, after which he went on discoursing with him alone for many furlongs*. The result of this conference seems to have been his immediate return towards Rome, amidst the splendid train collected, during his progress, about the returning dictator; since, on the first day of October, he writes to Terentia from Venusium, informing her of his intention of being at his Tusculan villa by the seventh or eighth day of the month, and requesting her to see that his *singularis animi dotes per totum orbem, nostris armis virtute quo perdomitum saluum et incolumem esse iubemus.*

* Plutarch's Life of Cicero—Langhorne's translation.

baths are in proper order, and every preparation made for the accommodation of a numerous company of guests*. The stay of Cæsar in the capital was of no long continuance, since the African war almost immediately summoned him to a new scene of action. Remaining in the capital, therefore, only long enough to appoint Marcus Brutus, although a short time before in arms against him at Pharsalia, to the government of Cisalpine Gaul—to invest Servius Sulpicius with that of Achaia†—and to make such arrangements as seemed necessary for ensuring the peace of Italy during his absence, he completed his preparations for the approaching campaign with so much celerity, that by the middle of December he was at Lilybæum in Sicily; with his tent pitched upon the beach, and six legions encamped around him, prepared to embark with the first favourable wind. On the twenty-seventh day of the same month his galleys were in full sail for the coast of Africa, which he safely reached after a prosperous voyage of four days' continuance, and having landed his forces without impediment, opened his memorable campaign against Scipio, Juba, and the enduring philosopher of Utica, by an immediate advance upon the city of Adrymetum‡.

Being now, in some measure, freed from the causes of disquietude which had lately absorbed his attention and weighed heavily upon his spirits, Cicero devoted the interval of suspense, during which Rome and her tributary provinces awaited the termination of the struggle maintained by the yet unfailing determination of her exiled nobility amidst the burning and arid wastes of Zeugitana, to his favourite pursuits of literature and philosophy; occasionally, for the sake of greater seclusion, removing from the capital to his villas in its vicinity. This opportunity

* Ad Diversos, xiv. 20.

† Ibid vi. 16.

‡ Hirtius, De Bello Africano, cap. iii.

of retirement and study produced his two treatises, "*De Partitione Oratoricâ*" and "*De Claris Oratoribus*;" the first a clear and well-digested, though somewhat formal, dialogue between himself and his son Marcus, for whose use it was chiefly intended; and the second an invaluable comment upon the characters and excellences of the chief Greek and Roman orators, intended as a supplementary book to his former work "*De Oratore*." This dialogue is also known by the name of Brutus, from the circumstance of that distinguished personage being one of the speakers introduced in it. Its various merits both of thought and expression—its eloquent, although half-suppressed, laments over the ruined condition of the republic—its delicate, impartial, and well-deserved criticism upon the oratory and writings of Cæsar—and, above all, the many curious particulars to be obtained from this source alone respecting the great worthies of the Roman bar, must always ensure for it a high place in the regards of the student either of classic or of general literature.

His divorce from Terentia occurred in the midst of these intellectual occupations. The cause which he alleged for the separation was, the neglect she had shown towards him during his continuance in Greece and at Brundisium, and her general inattention to the management of his pecuniary affairs. This, however, was, in all probability, but a pretext for a step which had been meditated long before. The temper of Terentia, at all times haughty and imperious, was not likely to have lost anything of its original asperity with the increase of years; and Cicero, with all his merits and general amiability of disposition, appears to have possessed that nervous and querulous temperament, which has sometimes a more irritating effect upon those who are in the daily habit of encountering it, than much greater faults of character. His conduct in thus parting, in the de-

cline of life*, from one to whom he had so long been united, on such trifling grounds of complaint, and with such little compunction, was the subject of general censure; which was anything but lessened by his marriage shortly afterwards with Publilia,—a young, beautiful and wealthy heiress towards whom he had been appointed to act in the capacity of guardian. His new connexion, however, into which he is supposed to have been principally drawn by the dazzling inducement offered by the fortune of Publilia, proved, as might have been anticipated, but a source of unhappiness, and was but of brief continuance. Terentia, for whom the sympathy of her age might naturally have been excited, does not appear to have been greatly afflicted by the event; since she was afterwards successively married to Sallust the historian, Messala Corvinus, and Vibius Rufus, and attained the advanced age of one hundred and three years. Her last husband is said to have proposed for her hand from a simple love of curiosities, and to have boasted, after obtaining it, that he now possessed two things which had belonged to the two greatest men of the age before him—the wife of Cicero and the chair in which Cæsar was slain.

By the beginning of summer Cæsar had finished his African expedition. The battle of Thapsus had at one blow completely paralysed the republic in that quarter. Utica had surrendered, drawing after it the whole of the adjacent province. Numidia had given in its submission, and the great leaders of the army of the senate, Cato, Petreius, Scipio, Afranius, and Juba, had severally fallen by their own swords or by those of the victors. The subjugation of Spain alone remained, where the emissaries of the two sons of Pompey were exerting themselves to excite a general revolt, and had already enlisted a consider-

* Cicero was at this time in the sixty-first year of his age.

able force for the support of their enterprise. But, before transferring his conquering arms to a new field of operations, Caesar again returned to Rome, to enjoy the fruits of his late conquests, and to receive the flattery of his countrymen in the shape of fresh and unprecedented honours. His dictatorship was extended for ten years. He was declared *magister morum*, or master of the morals of the people,—a title hitherto unknown. Four different triumphs were granted him within a month, for his successes in Gaul, Egypt, Pontus, and Africa,—in which he had the presumption to exhibit the effigies of several of the noblest senators who had fallen in opposing him; and, to crown the whole, a gilded car was placed near the image of Jupiter in the capitol, in which was erected his statue, standing upon a globe, with an inscription adding the appellation of demigod to his name*. Thus tempted by the abject submission of a people who were rushing headlong into slavery, he entered at once upon the full exercise of despotic authority—the crime less of the individual than of the community—of the one who exercises, than of the many who provoke and endure it. Without even using the outward formality of consulting the senate upon any of the foreign relations of the state, he took upon himself the whole management of this branch of the government—concluding treaties,—entering into alliances,—and imposing tributes, with reference to nothing but his own sovereign will and discretion. He even (with a reliance upon their passive acquiescence which nothing but the most contemptuous opinion of their spirit and condition could have justified) transmitted to distant nations decrees ostensibly passed by their consent, but with the nature of which they were utterly unacquainted. “Do you think,” inquires Cicero, in a letter to Papirius Pætus†,

* Dio, xlv.

† Ad Diversos, ix. 15.

“that the decrees of the senate would be fewer if I were at Naples? Even while I am at Rome, and in close attendance upon the forum, these edicts are drawn up in the house of our friend. When, indeed, it enters his head, my name is set down as if concerned in preparing them, and I was informed some time ago that a decree was carried into Syria and Armenia of which I was said to be the proposer, when no mention of the subject had ever been heard at Rome. Think not that I am in jest in making this representation. Letters have been brought to me from princes living in the remotest parts of the earth, expressing their gratitude towards me for procuring for them the confirmation of their titles from the senate and the people; whereas I was at the time ignorant, not only that they had been saluted kings, but even that they had ever had an existence.”

His confidence in his own security was, however, not without its good effect in allowing Cæsar to lay aside much of that jealousy which is unavoidably attendant upon authority, when its possessor is anxious of holding it upon any uncertain tenure; and having fully satisfied himself that he had obtained a firm hold of the substance of power, he was the less anxious respecting its outward appendages, in the shape of perfect respect to his person or opinions. It was, indeed, part of the consummate policy of this able usurper, while attacking by every description both of force and stratagem the very citadel of freedom, to leave for some time its mere external defences to all appearance unimpaired. This was sufficiently shown when Cicero, after the death of the great upholder of the quarrel of the republic at Utica, (whose end every reader of his works must smile at finding him propose to himself the possibility of his imitating, at a fitting time and opportunity*,) pro-

* *Ceteri quidem, Pompeius, Lentulus, tuus Scipio, Afranius, fœde*

duced his elaborate and unfortunately long-lost "Cato"—a carefully wrought eulogium upon the virtues and conduct of the unyielding patriot whose name it bore. The performance was not only received without resentment, but even with complaisance, by the dictator, who, perhaps not unwilling to show his power of encountering the first writer of his age with his own weapons, proposed to himself the task of answering it; which he afterwards accomplished in his work called "Anti-Cato." From the little we know of the character of this much-regretted treatise, the invective to which it was devoted, besides being necessarily rendered revolting by assailing an enemy no longer in existence, seems not to have been destitute of the coarseness and violence which distinguished all similar productions of that period*. It seems, however, at the same time, to have contained passages of delicate and elegant compliment to the living, which showed that its author was capable of attaining to a politeness and forbearance in controversy, which few who had once entered upon such a dispute would have been inclined to show to the panegyrist of a deceased adversary, when his life and fortunes were entirely at their disposal.

Cicero was mentioned throughout the production in terms of the greatest respect by his imperial opponent, and likened, with many eulogies upon his

perierint. At Cato præclare. Jam istuc quidem cum volumus licbit.—*Ad Diversos*, ix. 18.

* Plutarch mentions that one of the extravagant and absurd accusations brought against Cato by Cæsar set forth, that from a feeling of avarice he had passed the ashes of his brother Cæpio, to whom he was tenderly attached, through a sieve, for the purpose of obtaining any melted gold which might have been mixed with them. The other charges probably partook largely of the same character. The "Anti-Cato" seems to have been written in two books, as we gather from various passages in ancient authors. It was, however, not published until just before the return of Cæsar from his Spanish campaign.

actions as well as his abilities, to Pericles and Theramenes of Athens. The latter compliment seems to have been the dictate rather of the political than of the literary judgment of Caesar, since he could have seen but little in common between the rich and exuberant genius of the Roman orator and the simple nervousness and concentrated energy of the two great luminaries of the Attic assemblies, to whom he was thus compared*. At the same time it deserves also to be recorded, as a further proof of the desire of the conqueror to conciliate those lately opposed to him, that although Cicero, who seems to have been always better able to modify his conduct than his conversation to existing circumstances, had ventured upon some of his trenchant jests and sarcasms respecting the present condition of the state, in addition to indulging in a general freedom of discourse, which induced his friends seriously to warn him of the probable consequences†, no signs of disapprobation were shown towards him by Caesar; who being at the time, amidst other more important occupations, busily employed in making a compilation of facetiæ and apophthegms, was systematically acquainted with every fresh witticism uttered at Rome, and had already inserted many of Cicero's best known sayings in the collection.

To the "Cato" succeeded the "Orator" or treatise on perfect oratory‡, dedicated also to Marcus Brutus, and a worthy conclusion to the preceding series of

* The character of the oratory of Theramenes, although none of his works were extant in the time of Cicero, may be inferred from *De Oratore*, ii. 22.—*Consecuti sunt hoc Critias, Theramenes, Lysias*—*Omnes etiam tum retinebant illum Periclis succum; sed erant paulo uberiore filo.* The foundation of the more ornamental and more truly rhetorical school is attributed to Isocrates.

† *Ad Diversos*, ix. 16.

‡ *Itaque hoc sum aggressus statim "Catone" absoluto.*—*Orator*, cap. x.

works upon the same subject. As the rules of all art are of universal application, this masterly performance, and indeed the whole of the rhetorical disquisitions of which it forms a portion, may be safely considered to the present hour the best and surest guide to excellence, which those ambitious of moving the passions of their fellow men by eloquence, aspiring to a character above that of mere declamation, could select for their direction.

To enter into a detailed examination of their merits, besides requiring a space far more considerable than could be allotted to the purpose in the present work, would demand higher powers of criticism than any to which a simple narrator of facts dares to pretend. Their due appreciation, moreover, can be reached alone by the study of the noble tongue in which they were originally written. For although some general idea might be formed, through the medium of translation, of the nature and arrangement of the subjects of discourse, and of the arguments adduced in their elucidation, what terms, distinct in sound though identical in meaning, could convey the mingled grace and energy, the united beauty and perspicuity of the language, in which these are preserved ?—language which, in its majestic simplicity and harmonious flow, resembles the tenour of some mighty and unruffled river, whose depth may be inferred from its very clearness, and whose murmurs are the blended tones of melody and strength.

The oratorical powers of Cicero, which had been long suffered to remain dormant, were about the same time again put forth in his speech in favour of Marcellus, delivered in despite of his determination of preserving an obstinate silence on all public affairs during the continuance of the present form of government. The name of Marcus Claudius Marcellus is

known in history as that of one of the most active agents in promoting the civil war. Throughout the whole army of Pompey, Caesar had not a more bitter enemy, or a more determined opponent. After the battle of Pharsalia, having declined to follow the remains of the vanquished party to Africa, and disdaining to apply to his prosperous foe for pardon, he had retired to Mitylene in the isle of Lesbos ; where he devoted his time to literary pursuits with a calmness and constancy, which elicited the admiration and were recorded by the friendship of Marcus Brutus, who visited him in his retirement. His friends at Rome, however, were not possessed of the same indifference with regard to his recall as himself, and at a general meeting of the senate, when Caius Marcellus had preferred at the feet of Caesar an earnest request for the forgiveness of his brother, the whole assembly arose, and advancing in the posture of supplicants, with extended hands and importunate solicitations seconded the request. Caesar, moved by the unexpected appeal, was at length won to the side of clemency, and in return received a glowing eulogium from the lips of Cicero. The glance of modern criticism has affected to discover in the speech received as that for Marcellus, indications of a later period and of a less powerful hand. Recent discoveries, however, seem to establish at least very considerable parts of it as genuine, and, judging from these, it is scarcely too harsh a criticism to affirm, that it is not more distinguished by grace of language than by a spirit of unnecessary adulation. Something may be allowed to the impulse of gratitude ; something to the ignorance of Cicero respecting the ulterior designs of Caesar, and a lingering hope that he might yet be induced to restore the republic ; yet, as the oration was delivered in a place where the vacant seats, once occupied by many of his friends,

must have reminded the speaker of the sword yet red with their blood; and where, without any great stretch of the imagination, he might have imagined the stern shade of Cato rebuking his weakness by its silent presence, his vivid epithets of approbation seem, at least, strangely misplaced, and his finished flattery ill in accordance with recent recollections and present circumstances.

Somewhat similar in subject, although less marked by the faults of the preceding address, was the speech in favour of Quintus Ligarius, who, like Marcellus, was at the time living in exile, in consequence of the part he had taken against Cæsar in Africa. His two brothers, who had taken arms on the opposite side, had been urgent for his recall, and seemed not unlikely to prevail; when Quintus Tubero, instigated by a feeling of enmity of long standing, formally accused him of having shown more than an ordinary violence in favour of the senate. The result of this charge is related by Plutarch as follows:—"When Quintus Ligarius was impeached on the ground of his having been among Cæsar's enemies, and Cicero had undertaken his cause, Cæsar is reported to have observed:—'Why should we not indulge ourselves on this occasion with the pleasure of hearing Cicero plead, since it is manifest, on the clearest evidence, that the accused is guilty of all that has been urged against him?' But when the orator commenced his speech in a manner to excite general emotion, and, as it proceeded, introduced the most powerful as well as beautiful appeals to the passions of his audience; it was clearly seen, by his frequent changes of countenance, how greatly Cæsar was moved, until at length, on the speaker alluding to the battle of Pharsalia, he was so violently agitated as to tremble from head to foot, and let drop the papers which he was holding in his hand. Being completely vanquished,

therefore, by the force of eloquence, he dismissed the accusation against Ligarius." Such are the words of Plutarch, and his account may possibly be correct. Yet, in the oration for Ligarius, ingenious, plausible, and judicious as it unquestionably is, there appear but few passages calculated to excite any extraordinary emotions in the auditors—none, certainly, of such profound pathos as to blanch the cheek, or unnerve the frame of the chieftain upon the judgment seat. It contains neither expressions of sympathy with the living, nor a funeral lament over the illustrious dead; and where Pharsalia is mentioned, it is without any reference to all that was ruined and blighted on that disastrous field. Nor are the attempts made to gain credit for it on the ground of its excessive freedom greatly supported by the evidence of the speech itself. Its chief merit of the kind is to be found in a forcible protest contained in it against the appellation of wickedness, as connected with the faction of Pompey. "Do you, then, Tubero," exclaims the orator, "term the conduct of Ligarius wicked? Under what pretext? for never yet has that cause been distinguished by such a name. Some may designate it error—some fear; those who distinguish it by a severer appellation, unreasonable expectation—selfishness—hatred—obstinacy—those who give it the harshest title of all—rashness;—but wickedness, no one has yet termed it but yourself. To me, indeed, it appears, if the proper and true name be sought for our misfortunes—that a certain fatal and calamitous influence has overtaken us, and occupied the minds of men before they were aware of its approach; so that no one should wonder that human counsels have been overcome by divine necessity. Let us be called unhappy, although, under such a conqueror, it is impossible that we should be so. I speak not, however, of such

of us as survive, but rather of those who have perished. Ambitious, resentful, obstinate, they may have been ; but be it allowed to the deceased Pompey, and to many others who fell with him, to be free from the charge of wickedness, of madness, and of parricide *." Such is one of the boldest attempts at liberty in the whole oration,—an attempt simply to prove, that in ostensibly defending the ancient constitution, the followers of Pompey were not to be considered exactly in the light of criminals. Considering the part which Cicero had acted in the late disputes, it was surely hardly possible for him to say less ; and that he contented himself with saying so little, and qualifying that little with abundant praise of the individual to whom it might prove unpalatable, would be more surprising than the slight indications of courage contained in it, did not the general spirit of servile adulation which characterised the times cause anything, but the most extravagant expression of this degrading sentiment, to assume the stamp and title of freedom.

Towards the winter of the same year, which, besides the ordinary intercalary months often inserted, was increased by the addition of two others †, in consequence of the reformation of the Roman calendar, just completed with the assistance of the astronomer Sosigenes of Alexandria, by the great, and all but universal genius, now placed at the helm of the state,

Pro Ligario, vi.—Dr. Middleton's comment upon the oration is as follows :—"The merit of this speech is too well known to be enlarged upon here. Those who read it will find no reason to charge Cicero with flattery, but the free spirit which it breathes in the face of that power to which it was suing for mercy, must give a fresh idea of the art of the speaker, who could deliver such bold truths without offence, as well as of the generosity of the judge, who heard them, not only with patience, but with approbation." This is the elegant exaggeration of a learned but prejudiced biographer.

† In all by the insertion of ninety days.—See *Fasti Hellenici*, iii. 202.

Cæsar was summoned into Spain to conduct his final expedition against the sons of Pompey. With the year ensuing, A. U. C. 709, commenced his fourth consulate, which he filled without the assistance of a colleague, and the third period of his dictatorship, during which he declared Marcus Æmilius Lepidus his master of the horse. He took with him Quintus, the nephew of Cicero, and it was with difficulty that Marcus, the son of the orator, was prevented from engaging in the same service. Cicero, however, who, with all his expressions of respect for Cæsar, had strenuously and consistently rejected every opportunity and offer of holding any employment under him, was resolved that no active support should be given to what he yet considered the cause of usurpation by so near a relative; and persuaded his son, by the promise of an establishment in every way suited to his rank*, to retire to Athens, and devote his attention for the present to the study of philosophy under the guidance of its then most eminent professors, and more especially of Chrysippus, the leader of the school of the Peripatetics. This arrangement had scarcely been made and complied with, when the sudden death of Tullia in child-birth took place at Rome, and in the house of Dolabella, (then serving with the army of Cæsar in Spain†,) which, notwithstanding her late divorce, a step too much in accordance with the wishes of both parties to have been productive of any ill-feeling on either side, she had still continued to occupy. The blow fell with astounding effect upon her parent; who, strong in natural affection, and long accustomed to regard her, from her excellent moral character and high intellectual endowments, as the flower and hope of his house, saw her snatched away in the meridian of life, at a time when his own declining years were

* Ad Attic. xii. 32.

† Ad Diverson, ix. 11.

beginning to make increasingly valuable the solace and relief afforded by her society*. Utterly prostrated by the unexpected event, and shunning in his anguish the sight and converse of his dearest friends, he retired at once from Rome to the house of Atticus; where he endeavoured to find refuge from the pursuing sense of his overwhelming calamity in his favourite studies. This retreat, however, appearing too little secluded, he soon afterwards withdrew to his seat on the small island of Astura near Antium, situated in the midst of a wild and romantic country; where, in that luxurious abandonment to sorrow which obstinately seeks such aspects of external nature as are most calculated to promote and administer to its indulgence, he spent his time in mournful laments and useless meditations upon the good which had departed from him, amidst the murmurs of the surrounding forests, or the melancholy plunging of the waves upon the deserted shore. "In this solitude†," he writes to his friend Atticus, "I am freed from every kind of intercourse with mankind, and withdrawing early in the morning to the shelter of some dense and tangled wood, I quit not my retreat till the appearance of the shadows of evening. Next to yourself, nothing is so dear to me as seclusion, where my only communication is with literature; yet, how often is this interrupted by my tears, which I resist, indeed, to the utmost of my power, but am not yet equal to the task of fully repressing them." Still, in his sorrow on this occasion, there was nothing of an abject character. His expressions of grief, unlike those uttered during his exile, are, however forcible, at least manly, and often not undignified, and indicate that, amidst the sorrow

* Tullia, at the time of her death, was little more than thirty years of age.

† *Ad Attic.* xii. 15.

occasioned by his bereavement, he was rather desirous of restraining the full expression of his feelings, than of sacrificing to the vanity of amplifying them in the eyes of his friends by any ill-placed pomp of sentiment or language.

The news of his misfortune drew forth letters of consolation from all quarters. The most celebrated philosophers were ready with such comfort as their several tenets could supply, and the voice of private friendship was exerted to soothe his wounded spirit with the ready language of regret and condolence. The historian Lucius Luccæus*—Cæsar from the tumult and bustle of his camp near Hispalis in Spain†—Marcus Brutus from Cisalpine Gaul‡, and Servius Sulpicius from his government in Greece, severally wrote to assure him of their sympathy, and exhort him to fortitude under his loss. The epistle of the last is still extant§; a composition replete with beauty and eloquence, but, at the same time, a mournful comment upon the creed which saw beyond the burning pile and the sepulchral urn little either to wish or to deprecate, to dread or to desire;—nothing of that dawning hope and glorious expectation by which the most ignorant cottager is now able to commit to its secluded resting-place the past dwelling of suffering, and the future residence of immortality; rejoicing in a source of comfort once hidden from the wisdom of sages, and unpurchaseable by the wealth of kings. The following is a translation of this celebrated letter:—

* Ad Diversos, v. 13, 14.

† Ad Attic. xiii. 20.—A Cæsare literarum accepi consolatorias datas prid. Cal. Maias Hispali.—Consequently, after the battle of Munda, which appears to have been fought on the 17th of March, A. U. C. 709. Cneius Pompey the younger was slain on the 12th of April in the same year.

‡ Ad Attic. xii. 13.

§ Ad Diversos, iv. 5.

“SERVIUS SULPICIUS TO MARCUS TULLIUS CICERO.

“Great and severe was my sorrow, as indeed the occasion demanded, on my receiving the intelligence of the death of your daughter Tullia, which I considered as a calamity common to us both; and had I been at this time in Rome, I should neither have been wanting in my attempts personally to console you, nor shrunk from openly declaring the full extent of my grief in your presence. Since, however, this is denied me; although I am aware that the office which has devolved upon me must necessarily be one of grief and bitterness, (since in all cases those friends and relations whose duty it is to undertake it, being afflicted, to a certain extent, with the same sorrow as the chief sufferer, and unable to perform it without tears, appear themselves rather to need comfort than able to bestow it where most required,) I have, notwithstanding, determined briefly to lay before you such motives to resignation as have occurred to me; not from any belief that they have escaped your own reflections, but imagining that your full perception of their force may hitherto have been hindered by the violence of your emotions.

“What feature is there in the present calamity which has fallen upon your house to justify your excess of sorrow? Consider the manner in which fortune has hitherto dealt with us all, and that everything has been torn from us that possesses an equal claim upon our affections with our children—our country, our honour, our several dignities, and public employments. By this one additional misfortune what increase has our former wretchedness sustained? Or how is it, that minds so greatly exercised by reverses previously endured, do not grow callous, and learn to regard less seriously every kind of ill? How often must you have come to this con-

clusion, as I myself have frequently done, that, in such times as the present, those have not been most hardly treated who have been permitted tranquilly to pass from life to death!

“What prospect, moreover, was there which could strongly attach her whom we lament, to existence?—what event—what anticipation—what beloved solace, or object of affection? Shall we mention the hope of spending her life in union with some one of our noble youth? Truly these are fitting personages from whom, consistently with your dignity, you could select a son-in-law worthy of your confidence in entrusting him with the happiness of your children. Was it the possibility of becoming the mother of a family, whose prosperity might prove a future motive for rejoicing—who might enjoy independently the property transmitted to them by their parents—who might aspire in succession to the various honours of the state in succession, and use their liberty to advance the interests of their friends? What among these several objects has not been snatched away before the existence of the possibility of its being bestowed? Yet, for all this, you will perhaps urge the loss of our offspring is an evil. Granted. It is, however, one of greater magnitude to suffer what we are all called upon to endure. One reflection, which has conveyed no small consolation to my own feelings, I am anxious to communicate, under the impression that it may also tend to soften the violence of your grief. On my return from Asia, while I was sailing from *Ægina* towards *Megara*, I began to direct my gaze towards the regions which lay around my course. Behind me was *Ægina*, before me *Megara*, *Piræus* • on the right hand, *Corinth* on the left—cities, which though once in the highest condition of prosperity and glory, now present but the spectacle of fallen grandeur and decay. Upon this, I could not forbear

from indulging such meditations as these :—‘ Alas! frail and insignificant as we are, can it excite a sense of murmuring in our minds if one of our number, necessarily doomed to a brief existence, has perished either by a natural or violent death, while in one spot of the earth the lifeless remains of so many cities lie publicly exposed to our view! Is not this, Servius, sufficient to induce you to limit your desires, and to prompt the recollection that you are mortal?’ Believe me, I was not lightly comforted by this consideration. Place, then, a spectacle of a similar nature before your own eyes. While so many of our most illustrious citizens have been destroyed by one blow—while our empire has suffered so considerable a diminution—while every province has been shaken as if by the shock of an earthquake—is it fit to give way to extreme emotion for the loss of the fleeting breath of one feeble woman, who, if she had not died at the present time, must have done so within a few years, by the very condition of humanity with which she was invested at her birth?

“ Let me advise you, however, to call off your mind even from these contemplations, salutary as they are, and to increase in their stead such reflections as are suitable to the dignity of your station—that your daughter lived as long as life was desirable—that, during her stay among us, we possessed a country which was yet free—that she had the felicity of seeing her parent raised successively to the offices of prætor, consul, and augur—was wedded to husbands chosen from the noblest families—had full experience of every blessing—and perished at the same moment with our sinking state. In all this, what single ground of complaint against fortune is presented either to her or to yourself? Forget not, in short, the name you bear, nor the former precepts and admonitions you have been accustomed to bestow

upon your friends: neither follow the example of those unskilful physicians, who, while professing a knowledge of medicine with regard to the diseases of their patients, are wholly ignorant of the means of healing their own; but rather apply to yourself and to your own distresses the remedies which, in the case of others, you have been accustomed to prescribe.

“There is no shape of grief which length of time has not a tendency to soften and diminish; but surely it is disgraceful to await the effect of this lingering process, and to forbear meeting your calamity with the arms which your wisdom might supply. If, indeed, there exists any power of perception even after death, so great was the love of your child towards you, so strong her affection for all her relatives, that I am confident such a course would be far from being consistent with her own wishes. Yield, then, thus far to the deceased—to your remaining friends, who sympathise with you in your sorrow—to your country, that it may still, if opportunity be afforded, profit by your assistance and counsels. In conclusion, since we are sunk so low by our misfortunes as to be compelled to submit to the existing condition of affairs, act not in such a manner as to induce others to believe that you are not so much lamenting your daughter as the present condition of the state, and the ascendancy of the victorious party.

“I am ashamed to write more fully upon this subject, lest I should appear to entertain a distrust of your prudence. With one single suggestion more I will conclude my epistle. We have, on former occasions, seen you nobly play your part in prosperity, and obtain the greatest credit for your conduct while thus circumstanced. Let us now be convinced that you are equally able to sustain adversity, and that it does not appear to you a more heavy burden than it ought; lest, with all your virtues, this one of patient

submission should alone appear to be wanting. With respect to my own affairs and the condition of the province, I will send you the necessary intelligence when I have reason to believe your mind is more composed. Farewell*."

As it is not in the nature of men to measure their griefs by the estimate of others, the reply of Cicero to the philosophical arguments of his friend claims especial indulgence for his abandonment to his sorrow on the usual plea of being distinguished from others by the peculiar nature of his calamity†. He cites the most remarkable instances of similar misfortunes sustained by the honoured and renowned of his nation as lessened by alleviating circumstances, by which the loss sustained by himself was unaccompanied, and pathetically laments the extinction of his last hope, after his dignity, honour, and independence, had successively perished. We find from his other letters, that he was intent upon perpetuating the memory of his daughter by a splendid temple to be erected to her honour, as well as by the ceremony of a solemn apotheosis:—"For," he observes, in excuse for this determination, "if the offspring of Cadmus, Amphitryon, and Tyndarus, were thought fit to be exalted to the heavens, the same honour ought certainly to be paid to my deceased child. This, then, I will take due care to effect, most excellent and accomplished among women, and, with the approbation of the gods themselves, to whose society thou art already admitted, consecrate thee to the regard and veneration of all mortals‡." After hesitating, however, for some time, in the choice of an appropriate site, for which he seems first to have fixed upon certain gardens beyond the Tiber, with a

* Ad Diversos, iv. 5.

† Ibid. iv. 6.

‡ This passage is contained in a fragment of the treatise "De Consolatione," afterwards quoted and thus preserved by Lactantius.

view to its greater publicity, and afterwards, by the advice of Atticus, upon the ground near some one of his own villas, he was probably induced, from motives now unknown, to lay aside his intention altogether; although he had already proceeded so far in its execution as to contract with a sculptor of Chios for a number of pillars of the costly marble of that island, and to determine both upon the architect and the design of the edifice*. But a far more honourable monument than the most elaborate skill either of the architect or of the sculptor could have produced, was raised to the memory of Tullia by the genius of her parent, whose treatise upon Consolation, once regarded among the best of his works, was written shortly after her death—the result of many of the hours of wakefulness, during which, although the violence of his grief was able to banish sleep from his couch, it was unpossessed of the power wholly to divert his active and unwearied intellect from study. In this treatise, whatever arguments tending to encourage the exercise of fortitude under suffering had been propounded by the most esteemed philosophers, were collected, and, no doubt, adorned to the utmost, by the judgment and imagination of the great mind which devoted itself to the task of their selection. The hand of time, however, which has, in too many instances, made no distinction between the different means adopted for preserving the recollection of faded generations, confounding, in the general wreck, the eulogies of the eloquent and the reasonings of the wise with the more perishable witness of brass and marble, has left but few fragments of this carefully finished work to indicate the considerations by which its author endeavoured to inspire in the breasts of others the firmness to which his own was a stranger. Its general character seems to have been such as to

* Ad Attic. xii. 18, 19; xii. 36.

ensure it a frequent perusal among the early Fathers of the Christian church, but of its particular claims to their approbation we are little better acquainted than with the actual spot in which were deposited the ashes of the Roman matron, the remembrance of whose decease it was intended to perpetuate. This was not the only production to which the temporary retirement of Cicero from more active life, after the death of his daughter, was devoted. His work entitled "*Hortensius*" was soon afterwards published; a disquisition doomed to the same fate with his treatise upon *Consolation*, and respecting which nothing more is certain than it consisted of an imaginary dialogue between Cicero and his great predecessor in honour and reputation, in which the pursuits of philosophy were defended by the former. His next labour was the composition of his *Academic Questions*, which, after they had been originally written in two books, bearing the names of *Cato* and *Lucullus*, he subsequently enlarged to four, and inscribed to his friend *Marcus Terentius Varro**, in an epistle, still remaining, of exceeding finish and elegance. Upon these dissertations also the envious power of age has been but too successfully exerted; since the commencement of the first book, like the still existing porch of some magnificent edifice long sunk in ruin, alone exists as the undisputed representative of the beauty of the series of Dialogues to which it was formerly introductory; the *Lucullus* generally appended to it, although the labour of no doubtful hand, being unquestionably the second book of the original *Academics*, and never having constituted part of the work in its improved form. We learn

* The celebrated author of the treatises "*De Re Rustica*" and "*De Lingua Latina*," the latter of which was dedicated to Cicero. Several letters to this famous individual are to be found in Cicero's miscellaneous correspondence.—*Ad Diversos*, ix. 1—8.

from this, and from other evidence, that in these fancied discussions, the scene of which was laid at the villa of Cicero in the neighbourhood of Cumæ, the task of defending the principles of Arcesilaus and Carneades, (the founders of the Middle and New Academy,) and more especially those of the latter, was assigned to Cicero, and that of opposing them to Varro—the third speaker, Atticus, acting as moderator between the disputants. We may also infer, that in the destruction of the remaining books we have to regret a perfect description and history of the various shades of opinion into which the schools of Greece, since philosophy possessed a name, had been divided. The “Academics” were succeeded by the famous and long-contemplated inquiry, “*De Finibus Bonorum et Malorum*,” or, in the words of its author, “concerning the ultimate principle by which the wisdom of man is to be guided for the attainment of happiness, and those objects to which nature directs its efforts as the greatest of blessings, or shuns with aversion as the most serious of ills *.” This majestic subject of argument is pursued through five books, addressed to Marcus Brutus, of harmonious and eloquent reasoning. In the first and second the doctrines of Epicurus are, with the display of great ingenuity and imagination, defended by their advocate Triarius, and disproved by the superior arguments and nobler philosophy of Cicero. The third and fourth are devoted to the consideration of the principles of Zeno’s philosophy, in a discussion which is described as having originated in an accidental meeting between Cicero and Cato in the library of Lucullus, and in which the maxims of the Porch, notwithstanding the powerful defence set up by the Stoic, are proved to be equally untenable with those of the Garden. The fifth contains an explanation of

* *De Finibus*, lib. i. cap. 4.

the philosophy of the Old Academy and of the earlier Peripatetics*, in the person of Marcus Piso, before an audience consisting of Atticus, the elder Marcus, and Quintus Cicero, and their cousin Lucius, convened at Athens on the appropriate spot†, rendered famous by the teaching of the most illustrious of the pupils of Socrates, and by that immortal language in which the noblest of the writers of Greece has arrayed the sentiments of the first among her sages.

The short space of time in which these several performances (each apparently demanding at least as much attention and study as was probably bestowed upon the whole) were designed, entered upon, and completed, must excite surprise, even in an age in which instances of power of rapid composition, united with corresponding industry in literary pursuits, are by no means unfrequent. To the works already mentioned, however, are yet to be added five books of Tusculan Disputations, and a panegyric upon Porcia, the sister of Marcus Cato, which were written during the same period of retirement. The latter is entirely lost. The Tusculan Questions, which still remain entire, are devoted to various moral subjects—the contempt of death—the endurance of pain—the means of sustaining and alleviating sorrow—the power of moderating all passions—and the sufficiency of virtue to ensure happiness. They are perhaps the least pleasing of the ethical dialogues of Cicero—whether the soil from which so luxurious a produce had recently arisen had now become more limited in its fertility; or whether, in contemplating the more

* —in quâ non ii soli numerantur qui Academicî vocantur Spensippus, Xenocrates, Polemo, Crantor, cæterique, sed etiam Peripatetici veteres, quorum princeps Aristoteles; quem, excepto Platone, haud scio an rectè dixerim—principem philosophorum.—De Finibus, v. 3.

† Cum autem venissemus in Academiam non sine causâ nobilitata spatia, &c.—De Finibus, v. 1.

common questions upon which the day-spring of Revelation and the borrowed light of Philosophy have alike been shed, the torch of the latter to us naturally seems "to pale its ineffectual fires," and, like the same imperfect means of guidance exhibited amidst the glories of noon, but to insult the brightness which it is incapable of augmenting.

The divorce of Cicero from his recently espoused wife Publilia, was not long in following the decease of his daughter. The most common reason given for this event ascribes it to the indifference, and even satisfaction, shown by the youthful bride upon the loss lately sustained by her husband. Without having recourse, however, to any less obvious explanation, it is not necessary to look further than to the disparity of years, tastes, and, in all probability, of disposition, in the parties to this ill-judged union, to find ample cause for its speedy dissolution. From the scattered hints which may be collected from the letters of Cicero to Atticus, it does not appear that Publilia was wanting to her duties; since she is described as having earnestly requested to be allowed to share his solitude, and to have met with a direct refusal*. On his causes of complaint the writer is altogether silent. The facilities of a Roman divorce, indeed, spared him the necessity of alleging any weighty reason for the separation; while the almost daily occurrence of this extreme remedy for domestic discord, enabled him to dispense with the trouble of justifying a step, which the slightest diminution of affection, the merest shadow of distrust, or

* Publilia ad me scripsit, matrem suam cum Publilio loqui ad me cum illo venturam, et se unâ, si ego paterer. *Orat multis et supplicibus verbis* ut liceat, et ut sibi rescribam.—Ad Attic. xii. 32. This does not look much like the conduct of a wife destitute of affection. Yet he afterwards asserts that the letter had been dictated by a third party:—*apparebat enim illas literas non esse ipsius.*

even the desire of novelty and the inclinations of caprice, were considered amply to warrant.

Cæsar, having employed the summer in suppressing the last feeble show of resistance to his authority in Spain, after his decisive defeat of the army of Cneius Pompey, arrived in Rome in the month of September; where, after divesting himself of the consulate, he conferred the honour, for the three remaining months of the year, upon Quintus Fabius Maximus and Caius Trebonius. His triumph over the sons of Pompey and their adherents followed shortly after. This pageant, although in the highest degree magnificent, was witnessed in sullen silence by the greater part of the population of Rome; who, having at length opened their eyes to the real nature of the policy of their late favourite, had seen in the havoc of Munda the extinction of their last hope of the re-establishment of the republic, and now regarded the pomp which surrounded the returning conqueror, as a commemoration of his success, not so much over the opposing arms of his political adversaries, as over the whole constitution of the state. "The people," says Cicero, in answer to a letter of Atticus giving a detailed account of the procession, "have behaved nobly in withholding their plaudits, even from the image of Victory, in consideration of the evil company in which it was exhibited*." At a previous celebration of the Circensian games a similar token of disapprobation had been given, when the statue of the dictator was borne in procession with those of the divinities generally exhibited on such occasions. Unwarned, however, by these signs, that he had already reached the limit beyond which it would be no longer safe to tempt the patience of his fellow citizens, and imprudently imagining that little was now to be apprehended from a party which no

* Ad Attic. xiii. 44.

longer possessed the ability to meet him in the field, he began without further reserve to assume all the insignia of kingly authority, in addition to its substantial prerogatives, which he had long usurped. Anything short of this would probably have been submitted to with patience, but as the minds of men are, by a singular inconsistency, generally more excited by the symbols than the substance of tyranny, this conduct at once unsheathed against him the daggers, against which the veteran hands by whom he was surrounded could afford him no protection, nor his splendid military talents any means of escape. The best blood of Rome he had been suffered to shed with impunity—her laws and liberties had been yielded at his demand—but his laurel wreath and regal buskins, the armed Venus upon his breast, and the guards in attendance upon his person, (crimes inexcusable in the eyes of his countrymen but by the death of the offender,) were not long in bringing upon his vanity that fate, which his ambition had hitherto been able to shun, and might probably, with common prudence, long have avoided. Of this, however, there was at present no indication. The senate, with more than passive servility, continued to load him with fresh honours*, and to suffer their ranks to be swelled

Among the privileges, in addition to that of being ranked with the gods, by this time conferred upon him by the senate, the following are some of the most remarkable:—he was allowed to take precedence of all other magistrates—constantly to wear his triumphal ornaments, and to be seated in public in a gilded chair—to have his fasces on all occasions bound with laurel—to occupy a place of distinction at the public games—and to bear the title of Father of his Country. His birthday was observed as an anniversary—his statues were erected in all the towns of Italy, adorned with the civic and obsidional crowns—and his robes ordered to be made after the fashion of those of the ancient kings—the title of the Julian Jove was decreed to him—a college of flamines appointed to celebrate the rites dedicated to his honour—a temple erected for his worship in connexion with that of the goddess of Clemency,

without remonstrance by his lowest dependants. He was allowed, in defiance of all precedent, to create no less than fourteen prætors and forty quæstors for a single year, and to confer the titles "consular" and "prætorian" upon individuals who had never filled a public office. His nomination of himself together with Mark Antony as consuls for the year following, was also received with all marks of applause, and everything seemed to promise an entire submission to his will, at the period, which there is every reason to believe he had already fixed upon for openly assuming the crown, and with it the full title of king. While he was thus daily borne forward by the full tide of adulation from one distinction to another, Cicero, who had returned to Rome soon after his triumphal entry, was employed to plead before him the cause of Deiotarus, once king of the Lesser Armenia, and still sovereign of some parts of Galatia. After having approved himself for many years a firm friend to the Romans during their wars in Asia, and having been complimented by the senate in return by a confirmation of his regal honours, and presented with considerable additions to his territory, this monarch had taken arms during the civil war in behalf of his former benefactor Pompey, and in addition to supplying him with an auxiliary force*, had himself been present at the battle of Pharsalia. The resentment of Cæsar was naturally excited by his conduct, and after the defeat of Pharnaces, Deiotarus, although he had taken the field against the Pontic rebel†, was nevertheless deprived by the conqueror of the whole of his Armenian and the greater portion and Antony declared his high-priest. To these instances of sycophancy, which it would be difficult to exceed by any reference to the annals of the empire, at least as many more might be added.—See Dio, xliv.

* Cæsar, De Bello Civ. iii. 4.—Appian, De Bell. Civil. iii.

† Pro Rege Deiotaro, v.; Hirtius, De Bello Alex. lxxvii.

of his Galatian possessions. Cæsar was, however, magnificently entertained by him before his departure from Asia*, and all former causes of enmity seemed to have been forgotten by both parties, when Castor, the grandson of the Galatian monarch, with whom he had been long at variance, determined upon an insidious plan for effecting his ruin. Having bribed Phidippus, the medical attendant of the king, to second his design, he despatched him to Rome, to accuse Deiotarus of having entertained an intention of assassinating his imperial guest during his visit to his palace in Galatia. While formerly under the displeasure of Cæsar, Deiotarus had been defended at Nicæa in Bithynia, before the tribunal of that general, by Marcus Brutus†; who on the occasion pleaded with a force and determination which seem to have sunk deeply into the mind of his auditor, and to have given him his first perception of that firmness of character in the speaker, which was afterwards destined to prove fatal to himself. In his defence against the second charge he was aided by the talents of Cicero, to whom he had formerly acted as a faithful and strenuous ally during his Cilician campaign. The cause was heard at Rome in the private house of Cæsar, who was sufficiently moved by the oratory of the advocate

* Pro Deiotaro, iii.

† Ad Attic. xiv. 1:—"Magni refert, hic quid velit; sed quidquid volet valde volet," is recorded as the comment of Cæsar, after the speech of Brutus. Respecting both the time and place at which this oration was delivered, considerable difference of opinion has existed. Dr. Middleton thinks that it was spoken at Nicæa, on the coast of Liguria, on the return of Cæsar from Spain; that is, but a short time before the oration of Cicero in the same cause. Mr. Clinton, however, refers it to the capital of Bithynia, and to the year a.c. 47. See *Fasti Hellenici*. The very observation of Cæsar renders the latter opinion almost certain, since he would hardly at a much later period have delivered himself to this effect, respecting one, with whose character he must at the time have been thoroughly acquainted.

for the defendant to defer giving judgment until he should himself arrive in Asia, in the course of the expedition against the Parthians which he was then meditating. The speech to which Deiotarus owed this delay, and to which he was indebted for the preservation of what remained of his dominions, is still extant, and though comparatively brief, is replete with excellences; resembling some one of those beautiful cameos produced by the unerring genius of ancient art, in which, although the hand of the workman has been confined to a space comprised by narrow limits, every form connected with the subject is as perfect, as if it were a diminished reflection of an image struck out by the chisel in the full proportions of life.

Towards the close of this year Cicero received a visit from the dictator while on his way to Baizæ, of which he has left a graphic description:—"Cæsar," he relates, "having arrived on the evening of the second day of the Saturnalia* at the house of Philippus, the villa was so crowded with his soldiers that there was scarcely room for himself to sup. His retinue could not have been less than two thousand men. The intelligence of this threw me into no small perplexity as to what I was to do with such a host on the day following; but Barba Cassius came kindly to my relief by appointing me a guard. The tents were therefore pitched in the fields, and the troops kept from coming near my house. Cæsar staid with Philippus on the third of the Saturnalia† till the seventh hour, being denied to all visitors, as he was, I believe, engaged in inspecting accounts with Balbus. He afterwards bathed, and listened to the verses respecting Mamurra‡, without changing countenance. After

* December 18.

† December 19.

‡ A native of Formizæ and president of the board of works to Cæsar in Gaul, famous for his wealth and luxury, and the especial object of the satire of the poet Catullus.—See Pliny, xxxvi. 17.

this he was anointed, sat down to supper*, and ate and drank freely, as well he might, since his entertainment was carefully and delicately prepared; nor was this all, for the feast was seasoned with free and agreeable conversation. His retinues were entertained at three separate tables. Nothing was wanting to his freedmen of lower rank and slaves. As to the freedmen of the higher order, they were even feasted with elegance. Not to enlarge upon this subject, I enacted the host as became me. Yet, he is not the kind of guest to whom one would feel inclined to say, 'Favour me, I entreat you, with a second visit on your return.' We conversed upon no very serious topics, but much upon literature. To conclude, he was perfectly at his ease, and seemed highly gratified. He told me he meant to spend one day at Puteoli, and the next at Baiæ. You have now an account of this dreaded entertainment, which, however, has proved in the issue anything but disagreeable. I intend to remain here a short time, and then to proceed to Tusculanum. As Cæsar passed the villa of Dolabella, his troops marched close to his horse, both on the right and left, although they used the precaution nowhere else. This information I received from Nicias†."

On the last day of the same year, the consul Fabius Maximus having died suddenly, Caius Caninius Rebilus was elected, shortly after noon, to the office by Cæsar, although his dignity necessarily expired on the succeeding midnight. The indignation of Rome was excited to the utmost by this new instance of wanton contempt for all established au-

* Ad Attic. xiii. 52.—Unctus est, accubuit, *ἡμετέριον* agebat. This revolting custom seems to have been almost as fashionable in the days of Cicero as in those of Vitellius, and only considered a sign of good-fellowship.

† Ibid.

thority, and many bitter jests were lavished upon the less than ephemeral honour which had been conferred with such little deference to popular opinion. Cicero was not behind-hand with his wonted tribute of irony to an event so well calculated to justify it. "Our dictator," he observes to his friend Curius, "after taking the auspices for an election by the tribes, held one by the centuries, and returned, at the seventh hour, a consul who was to exercise his authority till the Calends of January, which commenced with the following morning. Know, therefore, that not one individual among us dined during the whole time that Caninius was consul. Nor was there a single crime perpetrated during the same period, since our consul was endued with such marvellous vigilance as never to sleep while invested with his office. This state of things may, perhaps, excite your laughter; were you on the spot, however, you would have greater reason to weep*." For such lamentation there existed at the time more cause than the writer probably apprehended. The famous Ides of March—the flight of the advocates of freedom from the city—the temporary ascendancy of Antony to the power of the deceased dictator, and the appearance upon the stage of a more selfish, subtle, and deadly foe to Roman liberty than Cæsar, in his worst state, had ever proved, were events destined to be revealed by the year, the commencement of which announced the close of the consulship of Caninius.

* Ad Divicos, vii, 30.

CHAPTER XIII.

Preparations of Cæsar for his Parthian Expedition—Conspiracy of Brutus and Cassius—Assassination of Cæsar—Cicero joins the Conspirators in the Capitol—Apparent Reconciliation of the two Parties—Funeral of Cæsar—Insurrection excited by Antony—The Conspirators fly from Rome—Correspondence between Antony and Cicero—Octavius Cæsar arrives in Italy—He visits Cicero—His Quarrel with Antony—Letter of Brutus and Cassius—Cicero, deterred from attending the Proceedings of the Senate, resolves to return to Greece—Council of the Conspirators at Antium—Philosophical Works composed by Cicero in his retirement—He embarks at Pompeii—Arrives at Velia, and lands at Syracuse—Determines on returning—His Interview with Brutus at Velia—He arrives at Rome—First Philippic—Reply of Antony—Second Philippic—Antony sets out for Brundisium—Octavius advances upon Rome—Return of Antony—Revolt of the fourth and Martial Regions—Antony marches into Cisalpine Gaul—Third and fourth Philippics—Cicero composes his last Treatise "*De Officiis*."

THE East, where alone, amidst the general submission of all other regions against which they had been directed, there still remained a powerful barrier against the arms of Rome, in the warlike Empire, whose temples were decorated with the standards of her legions, and whose fields exhibited the humiliating spectacle of numbers of her captive veterans compelled to labour in the condition of slaves, was now the quarter to which the general expectation was directed; in the prospect of its affording a field for the exertion of those martial talents, on which victory had seemed hitherto to wait, as a ready attendant wherever they had been exercised. All things appeared to promise the speedy commencement of a war, which, having for its object the avenging of the death of Crassus, might be expected to prove unparalleled in the history of the world in magnitude and importance—in the greatness, power, and

reputation of the principal nations engaged in it, as well as in the number of their subsidiaries and allies. On the one side, the formidable bands, trained by civil discord, the most terrible, but most efficient, nurse of military prowess and enterprise, and by their previous services in Gaul and Britain, as well as by their campaigns in Macedonia, Egypt, Africa, and Spain, to a state of efficiency unequalled at any period of the history of their country, and headed by commanders exceeding in ability all whose names had yet occurred in the long records of Roman conquerors, appeared to render the success of the invading force an issue closely bordering upon certainty. On the other hand, the appalling aspect of Parthian warfare,—the active horseman with his unerring shafts yet sternly occupying the path, red with the blood of Crassus and his baffled host,—the sterile wastes beyond the Euphrates,—and the difficulties of a march through a country, every furlong of which was likely to be disputed by an enemy, who might be repulsed, but could scarcely be defeated, were circumstances which might have justified a temporary apprehension in the minds of the most sanguine ; and induced the least timorous to abandon all expectation of an easy triumph over so redoubted an adversary, provided with such effectual means of defence. To his preparations, for this long-planned expedition, Cæsar, whose dreams were perhaps occupied by the conquests of Bacchus and Alexander, by the spicy forests and teeming plains of India—by anything, certainly, rather than the frowning circle of unrelenting enemies by which he was shortly to be surrounded, and the gleaming daggers about to be dyed in his blood, bent all the resources of his versatile genius—all the energies of his resolute mind. That he contemplated an absence, in whatever direction he might turn his arms, of no short duration,

was evident, from his appointment of the Roman magistrates for two years; Aulus Hirtius and Caius Pansa being destined to succeed himself and Antony, the consuls of the current year, and Decimus Brutus and Cneius Plancus to follow next in succession. His own office as consul he intended, before setting out on his projected expedition, to confer upon Dolabella, greatly to the displeasure of Antony; who having no inclination for such a colleague, with whom he was at the time at such force and open variance, as to have accused him of a design upon the life of the dictator, had threatened, notwithstanding the risk he ran of incurring the displeasure of Cæsar, to interrupt the election whenever it might be appointed to take place. Having, as he fondly imagined, secured domestic tranquillity by a general indemnity, and having already sent forward seventeen legions and ten thousand cavalry into Macedonia, nothing remained to delay his setting out for the purpose of directing their march towards the Euphrates, but the absence of the regal title with which he was desirous of being invested, before entering upon the gigantic plan of operations which he meditated. At the feast of the Lupercal, the well-known attempt of Mark Antony was made, in presence of the whole assembled people of Rome, to force upon his acceptance the diadem, which he affected, with unsuccessful duplicity, to decline; receiving in return for his refusal, as well as for his previous declaration that his title was *Cæsar* and not *king*, much to his mortification, the unexpected applause of the gathered multitude. A few days afterwards, the tribunes Marullus and Cæcilius, having taken off the crown placed upon his statue in the rostra, and committed to prison those who had been guilty of this overt act of treason against the majesty of the republic, were deposed

from their magistracy, and expelled from the senate, in return for their officious interference with the ambitious designs of the dictator. It was finally projected that, at the next meeting of the senate, Cotta, one of the *quindecimviri* or guardians of the Sibylline books, should declare, on the strength of certain prophecies contained in those pretended oracles, that the Parthian empire was destined to be overthrown only by a king*. To this assembly, therefore, the friends of the dictator looked forward with confidence, as the period from which the government, long republican in nothing but name, would be openly declared to have passed into the condition of an absolute Monarchy—his enemies, as the crisis when, if ever, the blow must be struck for the vindication of their country's freedom.

The conspiracy long projected against him, and precipitated by the late demonstrations of his real intentions, was now so far matured that a favourable place and opportunity were alone expected for carrying it into effect. The members of the plot already amounted to more than sixty in number, comprising many whose lives had been spared by the clemency of the dictator, and some whom he had loaded with benefits. The names of those among them who took the lead in their deliberations, were Marcus Brutus and Caius Cassius, both of them, at the time, invested by the friendship of Cæsar with the prætorian dignity, and afterwards summoned from the seat of judgment to act a prominent part in his assassination; Quintus Ligarius, Tullius Cimber, Decimus Brutus, Caius Trebonius, and Caius Casca. By these, and the rest who were privy to the design, several meetings had been held for the purpose of determining the spot upon which their purpose should be executed. The Campus Martius, during the time

* *Iho.* xliv.—*Suetonius*, Jul. 79.

of the comitia—the *Via Sacra*—and the entrance into the theatre, had been severally mentioned, and the advantages towards the success of the design possessed by each discussed*. But when it was known that a senate had been summoned to meet on the Ides of March in the Curia, close to Pompey's theatre, all difference of opinion was at an end, so exactly did the opportunity appear to be suited to their daring purpose. All preparations, therefore, having been made, the conspirators waited in resolute composure for the moment appointed for the perpetration of a deed, the guilt of which could only be lightened by a consideration of the desperate condition of the state; or vindicated, after its perpetration, by the most stainless integrity in the lives of those engaged in its perpetration.

Cicero was no party either directly or indirectly to the conspiracy against the life of Cæsar; his well-known hesitation and timidity, his tendency to raise objections and to suggest difficulties, being viewed as sufficient reasons for excluding him from all participation in so dangerous a secret. We find from his letters that he had been admitted no long time before to an interview with the dictator, in which the latter repaid, by an elegant compliment, (no doubt intended to reach his ears,) a short delay to which he had been subjected in the ante-chamber leading to the hall of audience†:—"Can I doubt," said the courteous usurper, "of my being held in general odium, when Marcus Cicero is kept sitting without, and denied access to me at his pleasure? If to any one, I should, at least, be at all times easy of access to him; yet, I doubt not, that he regards me with the most bitter hatred." Of his meeting about the same time with Cleopatra, the famous queen of Egypt, then on a visit to Cæsar, (whom she intended to accompany on his Parthian expedition,) and residing

* Suetonius in *J. Cæsare*, cap. lxxx. † *Ad Attic.* xiv. 1.

in his gardens upon the Tiber, the orator speaks in very different terms. Accustomed to all the forms of Eastern servility, this crowned minion of successive conquerors seems to have treated the noble Romans admitted to her presence as the mere dependants of her paramour, and to have expected from them the same deference which she exacted from the titled slaves of her own court. Cicero, however, appears to have had especial cause of resentment against her, on account of her want of liberality towards him, in return for services rendered towards her while residing at Rome, the nature of which is not very clearly explained. "The queen," he observes, subsequently writing to Atticus, "is an object of my thorough detestation. Ammonius, who pledged himself for the performance of her undertaking, knows that I have good reason for my displeasure. Her promises, however, were only such as were perfectly consistent with my dignity and character as a man of letters, nor should I be ashamed to proclaim them from the rostra. As to the haughtiness shown by the queen herself while she was living in the gardens beyond the Tiber, I cannot recall it to mind without the strongest feelings of resentment. I will, therefore, have nothing to do with such a set, who seem to think that I possess neither soul nor spirit*."

The particulars of the famous action for which the Ides of March will ever be memorable in history, are too well known to justify more than the most casual notice. After the imminent danger of the discovery of the whole plot—after, according to the credulous historians of later periods†, the most awful

* Ad Attic. xv. 15.

† Dio, xliv. Plutarch. in Cic. See also the beautiful passage in Hamlet, Act i., Scene 1.

"In the most high and palmy state of Rome,
A little ere the mightiest Julius fell," &c.

warnings of a supernatural character—days of unaccountable darkness, and nights replete with horror—after the many chances of escape, which almost seem to have been presented to the intended victim and urged upon his notice by a friendly power, desirous of counteracting the decrees of destiny—the blow was at length struck, by which the most illustrious of aspirants to arbitrary dominion was offered, amidst circumstances of singular theatric pomp, like a crowned and devoted sacrifice, to the insulted liberty of Rome. Cicero, although wholly unsuspecting of the design, witnessed, as he tells us, with feelings of the highest satisfaction the tragic end of the conqueror, upon whom his praises had been so profusely lavished. The instant Cæsar had breathed his last at the base of Pompey's statue, Brutus, amidst the general panic and flight of those of the senate unacquainted with the extent or the object of the conspiracy, waving his reeking weapon, called loudly upon the orator by name, and congratulated him upon the recovery of his country's freedom. The exclamation was, unfortunately, premature. By an imprudent clemency on the part of Marcus Brutus, against which Cicero bitterly inveighs in his epistles, and which, he states, would never have been shown if his opinion had been consulted*, Antony, who had been at first destined to share the fate of his imperial colleague, was suffered to escape. Just before the assassination of Cæsar he had been drawn aside by Trebonius, under a pretence of consulting him upon

* *Ad Diversos*, xii. 4. (to C. Cassius) *Vellem Idibus Martiis me ad conam invitasset; reliquarum nihil fuisset. Nunc me reliquæ vestræ exercent, et quidem, præter cæteros me.*—"Oh! that you had invited me to that glorious feast you exhibited on the idea of March! Be assured I would have suffered none of it to have gone off untouched. Whereas, the part you have spared occasions me, above all others, more trouble than you can well imagine."—*Melmoth*. See also *Ad Diversos*. x. 8.

private business, to the porch of the senate-house, and, after its perpetration, was unmolested in his flight, amidst the rest of the terrified multitude, which, after divesting himself of his consular robes, he effected with the greatest precipitation, directing his course to the house of a neighbouring friend, where, for the purpose of better concealment, he hastily arrayed himself in the habit of a slave. By this means was preserved a politic and resolute leader for the ensuing war, and a name to act as a rallying word to the scattered Caesarian faction, who otherwise might have passively submitted to the change induced by the death of their chief. Still, however, if Cicero, now unquestionably the first man in Rome in dignity and reputation, had boldly responded to the call of his country speaking by the voice of Brutus, and presented himself for the purpose of assuming the helm of the state, or of finishing by his impassioned eloquence the revolution begun by the courage of the republican party, there is every reason to believe, that the calamitous reaction, by which all that had been ventured and performed in the cause of liberty was rendered ineffectual, might have been avoided. Contenting himself with his usual middle course, and suffering the moment at which his interference would have been irresistible to escape without improvement, all his after constancy and self-devotion were unable to avert the consequences of his ill-timed hesitation. As for the conspirators themselves, beyond the grand object of their design they seem to have projected no ulterior plan to secure the results of their hardihood, nor to have prepared any extraordinary means to place their own persons beyond the reach of danger. The only force at their immediate command consisted of a band of gladiators belonging to Decimus Brutus, which, before the meeting of the senate, he had posted in the adjoining theatre, pretending to be about to ex-

hibit them to the people*: These were immediately sent forward to occupy the capitol, while Brutus and Cassius, at the head of their company, to whom several senators who had taken no part in their proceedings had now added themselves, from an ambition of sharing in the praise likely to be gained by their success, proceeded to traverse the forum, and several of the principal streets of Rome, brandishing their blood-stained swords, and loudly inviting the people to rise for the vindication of their freedom. This call was very little heeded, since the citizens, seized with a general panic, caused by a rumour, originating among the fugitives from the senate-house, that nothing less than a general massacre was intended, had now closely barricaded themselves within their houses, leaving all the usual places of public resort silent and deserted. Discouraged by this appearance of apathy, and dreading the interference of numbers of the veterans of Cæsar, who were at the time residing in the city in expectation of the grants of land which had been promised them at their dismissal from service, as well as of an armed legion which was quartered in the suburbs under Lepidus, in readiness to set out for Spain, the confederated senators determined upon withdrawing to the stronghold in their hands, and there awaiting the result of their late terrible exploit. Cicero, whose name they had frequently proclaimed during their progress, as sanctioning their enterprise by his approbation, joined them in the capitol, and was at once admitted to that place in their deliberations, which his rank and talents deserved.

In the meantime, the leaders of the opposite faction were suffering under the influence of a terror which prevented them from making use of the resources in their hands, being ignorant whether the

* Appian, *De Bello Civil.* ii.

death of Cæsar was to be considered as the act of the whole senate, and whether the conspiracy which had thus suddenly broken out was not aided and supported by the great mass of the citizens, and backed by a force which it would be folly to resist.

While both parties thus stood aloof, from mutual feelings of apprehension, the inhabitants of Rome, finding that no injury was intended to their property or their persons, began again to issue from their houses, and to collect in the usual places of assembly. Cinna, the son of the Marian chief of that name, was the first who ventured to harangue them in favour of the conspirators. Being at the time invested with the dignity of prætor, he publicly stripped his gown from his shoulders, declaring that he would no longer submit to wear the badges of a usurper ; * and proposed that those who had been instrumental in the death of Cæsar, should be immediately invited to descend from their advantageous post, with the assurance of a safe-conduct. This motion was seconded by Dolabella, who next appeared in public, invested with the full insignia of consul, having audaciously assumed the office with the first information of the fall of Cæsar. The consent of the people having been obtained, Brutus and Cassius ventured to leave the capitol, and address the multitude ; and were heard with respect, although with little appearance of enthusiasm in their cause. They were, however, too cautious to entrust their safety to any thing short of the most unequivocal approbation of their countrymen ; and, after concluding their respective harangues, returned again to the capitol, to communicate the result of their observations to their friends.

On the following day, Antony had regained sufficient confidence to quit his retirement, and to re-assume the ensigns of his dignity. Endowed with

* Appian, *De Bello Civil.* ii

A consummate craft, only equalled by his daring courage and abandoned libertinism, his first object was to ascertain the existing state of popular opinion, and the full extent of the strength possessed by the assertors of freedom, before venturing to commit himself by any decided steps either for or against them. His expressions and conduct were accordingly marked by so much moderation, that a friendly communication was opened with him by the conspirators, in opposition to the urgent advice of Cicero ; who, aware of his real sentiments, and of the perfidiousness of his character, repeatedly warned them in vain of the consequences of trusting to any of his promises or engagements, which he represented as likely to be observed only as long as there remained any thing to be dreaded from their violation*. After several conferences, it was agreed, that a meeting of the senate should be forthwith summoned, to debate upon the present condition of the republic, and the members of both parties indiscriminately invited to attend it. Antony, however, employed, as Cicero had anticipated, the interval, in acts of the most prompt and masterly policy towards securing and augmenting his power and influence. One of his first steps was to place a guard over the enormous treasure, amounting to about six millions sterling, which had been deposited by the late dictator in the temple of Ops. He next, by means of his interest with Calpurnia, secured the will and papers of Cæsar. Lepidus, with his legion, was then admitted into the city, and suffered, after occupying the principal streets with detached bodies of soldiery, to establish his head-quarters in the forum ; where

* *Dicebamus illis in capitolio liberatoribus nostris, cum me ad te vellent ut ad defendendam rempublicam te adhortarer ; quoad metueres omnia te promissurum, simul ac timere desisses similem te futurum tui.*—*Philipp.* ii. 35.

he began to inveigh fiercely against the assassins of his patron, whose death he at the same time openly and pathetically lamented. Having thus contrived to place himself in a somewhat more commanding position than at first, Antony waited, without anxiety as to its results, the meeting of the senate, on which the destinies of the empire to a great extent manifestly depended. This famous assembly was held at daybreak, on the 18th of March, in the temple of Tellus. It was then determined, partly by the influence of Dolabella, who was apprehensive of being stripped of his lately assumed magistracy, but principally through the able policy of his colleague, that every act and appointment of Cæsar should be confirmed, and his grants of land to his veterans fully ratified. A general act of amnesty was added, by which all prosecutions against the parties concerned in his death were expressly forbidden. The latter step was warmly advocated by Cicero, who took a prominent part in the debate, although he seems to have been well aware of the pernicious consequences of the preceding resolutions, which he has in all probability been erroneously represented as seconding*. On the same day, Marcus Brutus harangued the assembled multitude from the steps of the capitol in a speech vindictory of the conduct of his party, which was received with general applause; and on the day following, the decree of the senate having been fully confirmed by an assembly of the people, the conspirators, after the son of Antony had been placed in their hands as a hostage for their security, consented to descend from their commanding post. They were received with all outward demonstrations of confidence and amity, and after

* Quid enim miserius quam ea nos tueri, propter quæ illum oderamus? Etiamne consules et tribunos plebis in biennium, quos ille voluit, &c.—*Ad Attic. xiv. 6. Comp. Dio, xliv.*

the mutual exchange of civilities, Cassius was invited to a splendid entertainment at the house of Antony, and Brutus, at that of Lepidus. All external appearances indicated the firm and peaceful re-establishment of the constitution. Beneath these outward indications of concord, however, lay, on the part of the Caesarean faction, broken promises, violated faith, and an ambition eager to break through the hollow truce, to which its hypocrisy had only stooped, in the hope of finding a more easy prey in its unsuspecting victims.

One of the greatest acts of imprudence committed at the late meeting of the senate was the concession of a public funeral to the victim of their resentment. Antony having previously published the will of Caesar, the legacies contained in which of a largess to each of the inferior citizens, and the assignment of his gardens on the Tyber to their use, were well calculated to excite their sympathies for the fate of the donor, resolved upon subjecting their feelings to a further test on the day appointed for solemnising the final obsequies of the dictator. On this occasion, the pile on which his body was to be consumed having been first erected in the Campus Martius, near the tomb of his daughter Julia, the corpse was brought with imposing pomp into the forum, accompanied by an effigy, on which every wound inflicted upon it was accurately depicted. Here, amidst the melancholy strains of a band of musicians, skilfully adapted to excite the compassion upon which he intended to work, Antony, who had been permitted to pronounce the funeral oration, commenced that admirable address contained in the pages of Dio,* the purport of which is far better known through its condensed, and, it need scarcely be added, much improved transcript by the great monarch of dramatic literature; concluding by ex-

* Hist. Rom. xliv.

hibiting first the robe of the deceased, rent by the daggers of his assassins, and deeply dyed with his blood; and finally, the ghastly image which represented his mangled remains. The multitude, excited to frenzy by the eloquence of the speaker, no less than by the artful means he had adopted for heightening its effect, gave testimony, by a general tumult, to the power of Antony as an orator. The corpse of Cæsar was burned upon the spot by means of a pile hastily constructed of materials collected from the vicinity, and honoured by the oblations of the Roman matrons, as well as of their husbands, who threw into the flames their most precious ornaments and furniture, and continued to supply the fire with fresh fuel for several successive days. But the excitement of the populace did not stop with this extravagant but harmless expression of their regrets. A luckless Roman who happened to bear the name of Cinna, being mistaken for the late prætor, was torn to pieces in the first transport of their indignation, and the houses of Brutus and Cassius assaulted with a fury which was only disappointed by the most determined resolution of their inmates. Terrified by this sudden outbreak of popular resentment, and confirmed in their impression that Rome was no longer to be regarded as a place in which their lives were secure, by the representations of Antony, who assured them, on the request of Decimus Brutus for a public guard, that he could not answer for the extent to which the violence of the soldiers or of the multitude might be carried in their present state of exasperation, the principal individuals engaged in the late conspiracy began severally to quit the capital. Trebonius privately set out for his province of Asia; Decimus Brutus for Cisalpine Gaul; and Tullius Cimber for Bithynia. Marcus Brutus at the same time retired to the neighbourhood of Lanuvium, and

was accompanied in his retreat by Cassius. Cicero was not long in following this example ; and once more despairing of the fortunes of his country, withdrew to lament in the seclusion of his villas that inevitable ruin of the constitution, which he plainly saw approaching.

It was no part of the policy of Antony, however, yet to drive the republicans to extremities, or to allow their chiefs an opportunity of kindling a war in the distant provinces, while there remained a chance of lulling them into a security, of which he might avail himself, suddenly to oppress them nearer home. No sooner had Brutus and Cassius departed from Rome, than content with the result of his experiment upon the public mind, he set himself in earnest to put a stop to the existing tumults by a prompt and vigorous course of action. He then invited the fugitives to return to the city, and conducted his negotiations with them with so much art, as to induce them to determine upon awaiting the result of a second meeting of the senate, to be held on the 1st of June, for the purpose of discussing such questions relative to the settling of the state, as still remained undecided. He himself resolved, as before, to employ the interval to his own advantage, by making a progress through Campania, among the settlements of the veterans of Caesar, with the design of sounding their inclinations, and attaching them by liberal promises to his interests. As soon as he had set out to carry this intention into effect, his colleague Dolabella, whom he had left behind at Rome, began to exercise his authority in favour of the republican party by a bolder course of conduct than he had hitherto dared to pursue. A number of the members of the Caesarean faction, consisting chiefly of foreigners and persons of servile condition, continuing their endeavours to keep alive the recent

disturbances, by tumultuously assembling round the spot where the body of Cæsar had been burned, he hastily apprehended their ringleaders, and having put them to death by crucifixion, or precipitation from the Tarpeian rock, proceeded to demolish the column of Numidic marble erected to the memory of the dictator by his admirers, with the imposing inscription,—“To the Parent of his Country;” at which the most ignorant of the population of the capital had, for some time past, been accustomed to offer their devotions, and to decide their disputes, as if in the presence of a local deity. The spirits of the republicans were once more raised by these proceedings to a fallacious confidence. The letter of Cicero to Dolabella upon the occasion yet remains, in which he speaks of his patriotism and courage in the warmest terms of eulogy; and his correspondence with Atticus at the same period shows how much reliance he was disposed to place in this instance of severity against some of the least culpable, as well as least dangerous, partisans of arbitrary authority. “Our friend Brutus,” he writes, “might now, in my opinion, walk through the forum with a crown of gold upon his head, without molestation; for who would dare to injure him with the prospect of the rock or the cross before his eyes, especially since the late punishments were inflicted amidst such general tokens of approbation and applause on the part of the lower orders*.”

Under the pretence of what was called a free legation, a kind of fictitious employment in the public service, conferring neither honour nor emolument, but which gave those who held it the liberty of absenting themselves from the meetings of the senate, Cicero had determined, before the death of Cæsar, upon proceeding to Greece, to superintend the studies

* Ad Attic. xiv. 16.

of his son, who was still residing at Athens*. The execution of this plan was now delayed for some time ; during which he continued to waver in his determination, apparently intending to shape his conduct by that of the other members of his party, or by the resolutions which might pass the senate at their next meeting. The interval was employed in frequent interviews and communications with the most influential persons of both parties, including Matus, Hirtius, Pansa, and others of the more respectable friends of the dictator. With Antony himself he was on sufficient terms of outward civility, as appears by his correspondence. That subtle designer, pretending the utmost deference for his opinions, had written to request his consent to the recall of Sextus Clodius from banishment, representing that Cæsar had previously acceded to his wishes on this subject, but stating that he was unwilling to carry out even the design of his late patron, if it should prove in opposition to the inclinations of Cicero. This manifest hypocrisy it is to be regretted that the orator condescended to repay in the same coin. The commencement of his reply, in which he testifies the greatest readiness to accede to a request which he had no means of resisting, is thus worded :—" There exists one reason why I should have preferred a personal interview on the subject of your letter to any communication in writing. In the former case, you might have perceived my strong attachment and friendship towards you expressed not only by my words, but in my very countenance and looks, or, to use a common expression, engraven on my very brow. For although I have always been induced to regard you with esteem, first on account of the strong interest you have shown in my welfare, and subsequently in consequence of the actual benefits I

* Ad Attic. xiv. 13.

have received at your hands, your public conduct at this important crisis has so far endeared you to my affections, that no individual at the present time occupies a higher place in them than yourself." It is not likely that either of these practised diplomatists was for a moment imposed upon by the complimentary professions of his opponent, or induced in the slightest degree to relax the wariness with which he regarded the movements of the adverse party. To Cicero Antony seems from the first to have been an object of the strongest dislike and suspicion, and that the feeling was reciprocal may be inferred, as well from other circumstances, as from the connexion by marriage of the latter with Fulvia, the widow of the notorious Clodius, who was not of a disposition to suffer the malignant enmity of her husband to rest for want of fresh excitement, under the recollection of her ancient causes of resentment against his able adversary.

During these deep laid movements on both sides, the theatre of action was silently occupied by one, who, contenting himself at first almost with the character of a mere spectator, was destined ultimately to exercise the most important influence upon the fortunes of his country, and, by his superior cunning and duplicity, to carry off the prize for which much nobler disputants were contending. The name of Octavius, at a later period, happily for the world, almost effaced by the lustre surrounding the title of Augustus, stands recorded as that of an individual who, by a singular inversion of the laws of moral development, possessed in youth all the faults usually attendant upon a vicious age,—its selfishness, its deceit, its unimpassioned, but not the less terrible, cruelty, and inflexible obduracy of purpose in resentment; to exhibit in his matured and declining years many of the more generous qualities which, if at all possessed,

are, for the most part, shown at an earlier period of life. He was the son of Caius Octavius, who had reached the dignity of the prætorship of Macedonia, and of Atia the niece of Cæsar, and was consequently the great-nephew of the dictator, by whom he had been left heir to his name and the greater part of his property. His mother was at this time residing in Italy after her second marriage with Marcus Philippus, a Roman of consular rank and of singular integrity of character*. Octavius himself, after making his first campaign against the sons of Pompey, had been sent to Apollonia in Epirus,† to pursue his studies for a short time in that city, and to await there the arrival of the dictator on his way to commence his Parthian expedition, in which it was intended that he should accompany him in the capacity of his master of the horse. On receiving intelligence of the death of Cæsar, and of the purport of his will, he decided, after a short deliberation with his friends, upon setting out immediately for Italy; and landing near Brundisium, was welcomed by the soldiers stationed there in garrison with such honours as they imagined due to the representative of their deceased general. From thence he proceeded by slow journeys towards Rome, receiving, wherever he passed, the greatest marks of respect and attachment from the veterans of his uncle, who came in crowds to meet him on his way. At the house of Philippus, near Cumæ, where he was met by his mother Atia, he was presented by his friends Hirtius and Pansa, the consuls elect, to Cicero, and the introduction to each other of these two eminent characters, the one now about to close his distinguished career, and the other just entering upon the course of ambition, which he was but too successful in pursuing, was followed by mutual visits and every indication of intimate friend-

* Suetonius, in Octav. iv.

† Ibid. viii.

ship. At their first interview, the boyish politician seems to have had no difficulty in imposing, by his apparent moderation, on the grey-headed statesman, whose penetration into his motives it was his interest to elude; since we find the latter in his letters describing him as perfectly ready to follow his counsels*; which were, no doubt, in accordance with those of Atia and Philippus, both of whom advised the future emperor to content himself with his private inheritance, and to make no effort to possess himself of his uncle's honours. But Cicero was not long deceived; and further opportunities of studying the character of his new acquaintance seem to have filled him with the greatest disquietude and apprehension with regard to his ultimate policy and conduct:—"Octavius," he writes, "is still residing near us, and treats me with singular respect and friendship. By his own attendants he is saluted by the title of Cæsar†, a name which Philippus never gives him; nor, indeed, do I. A good citizen I am confident he can never prove, when there are so many about him who threaten the destruction of our friends, and represent the existing state of affairs as intolerable. What then will be the result when the boy arrives at Rome, where our deliverers, even now, cannot be considered in safety? Happy they may indeed be, in the consciousness of the glorious action they have performed; but our cause, if I mistake not, will be totally ruined. It is for this reason that I am anxious to retire abroad, where I may have no further intercourse with these Pelopidae‡."

As the day appointed for the meeting of the senate

* *Modo venit Octavius et quidem in proximam villam, mihi totus deditus.*—Ad Attic. xiv. 11.

† The *Lex Curiata*, by which Octavius was formally adopted into the family of the Cæsars, was not passed till the following year.
Ad Attic. xiv. 12.

approached, the efforts of Antony were redoubled to secure the means of overawing the assembly into an acquiescence with such measures as he intended to lay before them. By his possession of the papers of Cæsar, he was enabled to bring forward whatever regulations he pleased, as among those acts of the dictator, which they had absurdly declared to have all the force of laws. Forged grants and directions for the sale of the public lands, concessions of the freedom of the state to foreign princes and people, on the payment of immense sums to himself or to Fulvia, and bribes to those whom he thought it necessary to gain over to his interests, were accordingly multiplied, in wanton contempt of the common sense of mankind*. The aid of Læpidus had been secured by the gift of the office of the high-priesthood, vacant by the death of Cæsar, as well as by an alliance with the family of Antony by a marriage with one of his daughters. Dolabella was gained over by the promise of the rich province of Syria, which had been destined by Cæsar to Caius Cassius at the close of his prætorship, and by allowing him, for the purpose of liquidating his debts, a portion of the treasure in the temple of Ops; which Antony now proceeded, without further hesitation, to remove and convert to his own purposes†, as well as a separate fund, constituting a great part of the private fortune of the dictator, which had been entrusted to his care by Calpurnia.

* By one of these fictitious acts, the whole of the inhabitants of the island of Sicily were admitted to the freedom of the city.—(Ad Attic. xiv. 12). *Eccc autem Antonius, grandi pecuniâ acceptâ, finxit legem a dictatore comitiis latam, quâ Siculi cives Romani; cujus rei vivo illo mentio nulla.*—By a similar instrument, all his former dominions were restored to Deiotarus. “It is true,” says Cicero, “commenting upon this circumstance, that there is nothing which he does not deserve, but not through the interest of Fulvia.” Deiotarus is said to have undertaken to pay the sum of nearly 80,000*l.* for the edict fabricated in his behalf.

† Ad Attic. xiv. 14.

Crowds of veteran soldiers were at the same time summoned into the city for the purpose of overawing the senate by their presence. Alarmed by these proceedings, the republican leaders thought it necessary, before risking their safety at Rome, to ascertain from Antony his real intentions, and accordingly forwarded to him an epistle, which is preserved among the letters of Cicero, to the following effect:—

“BRUTUS AND CASSIUS, PRÆTORS, TO MARK ANTONY,
CONSUL.

“Were we not persuaded of your honourable and friendly feelings towards us, we should not have addressed to you the present communication, which, under the feelings for which we give you credit, you will, no doubt, take in good part. We are informed by letters, that great multitudes of veteran soldiers have already assembled at Rome, and that many more are expected to arrive on the first of June in the city. We should be acting unlike ourselves did we entertain either doubt or fear respecting your intentions. But, assuredly, since we have in a measured placed ourselves in your power by dismissing, at your suggestion, our adherents who came to us from the municipal towns, not only by our open edict, but by our private letters, we may consider ourselves as worthy to be admitted to your councils, especially in such matters as particularly concern our interests. It is our request, therefore, that you would make us further acquainted with your designs respecting us, and whether it is your real opinion that we can be safe amidst such throngs of veteran troops, who, as we hear, are already contemplating the re-erection of the altar raised to the memory of Cæsar*, a pro-

* The pillar thrown down by Dolabella. Dio, as well as the writers of the above epistle, terms it an altar, from the circumstance of sacrifices being offered before it to the divinity of the dictator.

ceeding which no one could desire or approve who has the slightest regard for our safety and honour.

"It has plainly appeared from the event, that we have from the very beginning had no other object in view than the public tranquillity. No one can deceive us but yourself, and such a design your virtue and integrity, we are confident, will never allow you to entertain; yet, that you possess the power we do not deny, since we have hitherto implicitly trusted, as we intend for the future to trust, to your honour. Our friends, however, entertain the greatest apprehensions concerning us, since, well as they are assured of your sincerity, they cannot but recollect that a crowd of veterans may much more easily be impelled to acts of violence by some other individual, than restrained by yourself. We request that you will return us a full and satisfactory answer. The pretext that the troops have been ordered to meet at Rome, because it is your purpose to propose, during the month of June, certain resolutions in their favour, is, in the highest degree, trifling and frivolous. As you are well aware that it is no intention of ours to frustrate your wishes, from whom else can you expect any opposition? No one can suppose that by our precautions we show ourselves too much attached to life, when it is evident that no misfortune can, at the present crisis, happen to us without involving the confusion of the state, and destruction of the constitution*."

It does not appear that to these representations any satisfactory reply was made on the part of Antony. It is certain that his preparations for occupying the capital with an overwhelming force of soldiery, previously to the calends of June, were in no respect relaxed in consequence of the remonstrance he had received. So alarming indeed was the aspect of affairs

in Rome as the day of meeting drew near, that many of the senators who were residing at a distance determined upon delaying their journey to the city, while others hastily retired from it into the country. Cicero, who had set out with the intention of being at Tusculanum on the twenty-sixth of May, and of proceeding from thence to assist at the opening of the senate, received, as he approached the capital, such warnings respecting the threatening conduct of the troops mustered there, and of Antony himself, as inclined him to turn back and abandon his resolution. In this conduct he was but imitating that of the rest of his party: Brutus and Cassius, with the other friends to the ancient constitution, contenting themselves with remaining at a distance. Even Hirtius and Pansa, although consuls elect, and representatives of the more moderate or temporising class of politicians, were so far terrified for their safety as to resolve upon absenting themselves for the present from Rome. Having thus obtained, with little trouble, the very object of which he was desirous, Antony proceeded, with a senate entirely devoted to him, to pass a series of decrees; each of which had a tendency to diminish the strength of those most opposed to his ambitious projects. Both Brutus and Cassius were stripped of their governments, Syria being transferred, as a proconsular province, to Dolabella, and Macedonia to Antony himself, together with the command of the army assembled by Cæsar for the Parthian war; his first use of which, as it was conjectured from certain hints which he had dropped, would be to drive Decimus Brutus from Cisalpine Gaul. As a compensation for the more honourable offices of which they had thus summarily been deprived, Cassius was appointed to the inspection of the supplies of corn from Sicily, and Brutus invested with a similar commission with respect to Asia. Both were considered

as direct insults, and resented as such; nor was the indignation of the parties subjected to these slight allayed by the subsequent decree, which appointed the inferior province of Crete to Brutus, and that of Cyrene to his colleague. Disgusted at these proceedings, and induced, by the general apathy and irresolution he saw around him, to consider the establishment of a second despotism in Rome, more galling than the first, as an unavoidable evil, Cicero now wrote both to Antony and Dolabella to request leave to retire into Greece by virtue of an honorary legation. The latter, no doubt well pleased at the prospect of his departure, courteously replied by appointing him his own lieutenant for Syria, a commission which enabled him to extend indefinitely the term of his absence from Italy. Upon this he determined immediately to act, and at once commenced his preparations for a voyage across the Ionian sea. Before setting out, however, he was present at a general council of the republican party, convoked at Antium to deliberate upon the steps necessary to be taken with respect to the late decrees of the senate. The principal persons assembled were Favonius, Cassius, and Brutus, with the wives of the two latter, Tertulla and the famous Portia, together with Servilia the mother of Brutus; a woman celebrated as the former mistress of the great dictator, as well as from the circumstance of her having given birth to the principal conspirator against his life. At this meeting the fiery spirit of Cassius broke out in a stern and haughty refusal to accept the commission which had been lately offered him*, contrary to the advice of most of those present; nor were bitter reflections wanting upon his

* *Hoc loco, fortibus sane oculis, Cassius (Martem spirare dicere) se in Siciliam non iturum. "Egone ut beneficium acceptum in contumeliâ?"* A masterly picture, in few words, of this fierce, but far from disinterested republican.—*Ad Attic. xv. 11.*

part on the previous weakness and uncertainty which had characterised the movements of the upholders of the cause of liberty, the principal blame of which he laid, whether justly or unjustly, upon Decimus Brutus. Nothing of consequence, however, beyond the dis-
 suading Marcus Brutus from venturing to exhibit his prætorian games at Rome in person, seems to have been resolved upon to remedy the former imprudences of which all were now fully sensible, and the meeting broke up leaving Cicero more desponding than ever with respect to the condition of the state; which he compares to a vessel not only shattered by the tempest, but actually broken to pieces and stre-
 wing the waves with its fragments*.

On his return from Antium to his Tusculan villa, he was rejoiced by the intelligence of a change lately effected in the politics of his nephew Quintus; who, after having been long considered one of the most zealous of the adherents of Antony, had refused to be accessory to a plan for seizing upon some stronghold and proclaiming him dictator†, and had passed over, in disgust at his inordinate ambition, to the party of Brutus, to whom Cicero, on being convinced by his protestations and conduct, of his sincerity in the adoption of his new principles, subsequently presented him as a valuable acquisition to the cause. At Tusculanum he received, while making his last preparations for his journey, a farewell visit from Atticus, and seems to have been much moved at parting from this long-tried friend; who, but for the selfishness and indolence encouraged by his Epicurean principles, failings which Cicero does not appear to have had, at all times, philosophy enough to condemn, might have occupied an honourable station among the most eminent men of his age, and obtained that reputation by

* Ad Attic. xv. 11.

† Ad Attic. xv. 21, 22; xvi. 1; xxi 1;

the exercise of his own abilities, for which he has been indebted almost entirely to the genius of his distinguished correspondent. The intimate acquaintance of both on this occasion with the perilous condition of the republic, the troubled aspect of affairs, and the uncertainty of their again meeting, when so many causes were in active operation to prevent it, threw a prophetic melancholy and undefined foreboding around a separation, the pain of which does not seem to have been repaid by any subsequent interview.

During the interval between the death of Caesar and his departure from Italy, were produced some of the noblest of those philosophical disputations, which, if the name of Cicero were unknown as that of the greatest orator of his country, would have secured him an immortality as by far the most eminent among her moral writers. The first of these was his celebrated treatise upon "Old Age;" a work which can never be named without reverence, as hallowing, by all the charms of imaginative eloquence, that period of mortal existence, which it is impossible to contemplate without interest and reverence, whether it is viewed in relation to the past or to the future, to its experience or to its expectations. The singularly judicious adaptation of the style to the subject, although a secondary merit, is one which is conspicuous throughout the whole performance. Clear, harmonious, and majestic, it is, at the same time, as beautifully subdued as the light of a tranquil sunset, which lingers around the solemn proportions of some mighty edifice, sanctified by the recollections of ages, and slowly yielding to the hand of an imperceptible decay. It need scarcely be stated, that in this treatise it is attempted to show, that many of the evils commonly ascribed to age, have been falsely ascribed to it, by the arguments of the principal speaker, Cato the elder; who is represented as discoursing upon the subject with

his youthful auditors, Scipio and Lælius*. The work probably next in date was the dialogue entitled "De Amicitia," or "Lælius," respecting the delights and advantages of friendship, intended, as it is said, by Cicero as a sedative to the angry passions of his contemporaries; but which, if the representation is well founded, notwithstanding the numerous beauties which render it a worthy companion to the dissertation preceding it, was as little likely to produce its intended effect, as the strains of an exquisitely modulated instrument to be heard amidst the hoarse tumult and uproar of battle. This graceful composition (which, as well as the "De Senectute," was inscribed to Atticus) was followed by the famous inquiry, "De Naturâ Deorum," dedicated to Marcus Brutus. In the discussion of the exalted subject thus designated, (which extends through three books,) the practical infidelity of the Epicureans, and their whole system of idle divinities, and warring or uniting atoms, maintained by Caius Velleius, one of the most celebrated of the school to which he belonged, are overthrown by Caius Cotta, an Academic of equal celebrity. The second contains the opinions of the Stoics upon the same subject as explained by Lucius Balbus, and, after an attempt to explain the strange pantheistic idolatry of the sect of Zeno, concludes with

* That the "De Senectute" was written previously to the "De Divinatione," and before the middle of May in this year, may be inferred from the second book of the latter treatise and from Ad Attic. xiv. 21. Yet how melancholy is the comment of Cicero upon his own philosophy, in the epistle from which this fact is ascertained:—*Legendus mihi sæpius est "Cato Major" ad te missus. Amatorem enim me senectus facit: stomachor omnia. Sed mihi quidem βεβύλωται. Viderint juvenes.*—"I ought frequently to peruse the work entitled 'Cato Major,' which I sent to you as an antidote to that petulance and fretfulness which I perceive to grow with my years. Everything discomposes me. My life is now drawing to a close, and I relinquish the business and pleasures of the world to the young who succeed me."—*Melmoth.*

several chapters of continuous and sublime eloquence upon the manifest signs of providence and benevolence inscribed upon the face of external nature; which might be admitted into any modern work upon natural theology, without depreciating its character, or weakening its tendency*. In the third, Cotta, in the usual spirit of his school, without hazarding any affirmation of his own, attempts to bring forward a number of ingenious doubts and difficulties against the system of Balbus, which was, indeed, in most respects sufficiently vulnerable. In this manner the contest is described as ending. The consideration of the nature of the Divine essence led, not unnaturally, to the dissertation "*De Divinatione*," in which all the arguments both for and against the doctrine of the prediction of future events, by the observation of omens, &c., are produced by Cicero and his brother Quintus, in a conversation supposed to take place in the Tusculan villa of the former; who, somewhat inconsistently with his office of augur, and with considerably more common sense than honesty, impugns the Stoical opinion of the validity of prognostics of various kinds†. This treatise, which may be considered among the most curious and entertaining relics of antiquity, presents, in one part, an additional point of interest, by exhibiting the only remaining fragment of Cicero's poem of "*Marius*," which he represents his brother as quoting to himself, as in his former treatise

* See *De Natura Deor.* ii. 39—67.

† This difficulty is surmounted with amusing candour in the twelfth chapter of the second book:—*Ut ordiar ab haruspiciâ, quam ego reipublice causâ, communisque religionis colendam censeo; sed solum sumus, &c.* Although the orator plainly indicates that he believes the whole art of which he was a professor to be a palpable imposture, he thinks that, for state reasons, it ought to be encouraged; and, doubtless, to convey no small honour to those qualified by the higher powers to practise it.

he had placed several long passages of his own translation from Aratus in the mouth of Balbus. His work "De Fato," which has unfortunately reached us in an extremely dilapidated condition, closed his essays on a series of subjects of a loftier and more mysterious order, than any he had hitherto attempted to investigate; and in some of which we may observe, perhaps, the highest efforts of the human mind to obtain a correct apprehension of the Divine Nature without the guidance of Revelation. Cicero and his guest Hirtius are the speakers represented as maintaining the conversation, constituting the treatise concerning Fate, the scene of which is laid at the marine villa belonging to the latter, beautifully situated near Puteoli, and which he was accustomed to designate his Academy. "The spot," says Eustace,—“the speakers—both fated to perish in so short a time, during the contests they both foresaw and endeavoured in vain to avert—were circumstances which give a peculiar interest to this dialogue, and increase our regret that it has not reached us in a less mutilated state.” The observation is no less just than elegant. The dialogue "De Fato," however, so far as may be judged from as much of it as is still preserved, however interesting from its adventitious claims to attention, can scarcely be regarded as one of the ablest productions of Cicero. The acute qualities of the dialectician, rather than the lofty speculations of the moralist, are brought to bear upon a discussion, in which logic is vainly called in to measure with its puny span a subject, the full comprehension of which must be reserved for the matured and expanded intellect of a more perfect state of existence. From the evidence of his own writings we learn that the above productions constituted but a part of the literary labours of Cicero during the spring and summer of the memorable year distin-

gushed by the assassination of Caesar. A secret history of his own times, and a discourse upon Glory, in two books, were completed previous to his quitting Italy*, and his last and ablest ethical work, the "De Officiis," projected and commenced by the same unwearied genius, which may also, during this interval of leisure, have been employed upon a translation of the *Timæus* of Plato, of which one or two considerable fragments still remain.

Having completed all arrangements for his voyage, he embarked at Pompeii on board a small galley of ten oars, being attended by two other vessels of the same size, and set sail with the intention of again directing his course along the Italian shore as far as Rhegium, from whence he had resolved upon crossing the Ionian sea, in preference to the usual route from Brundisium to Dyrrachium. He left behind him, at anchor off the coast of Campania, a strong fleet under Brutus and Cassius, who

* Of this work Dr. Middleton observes in one of his notes :—
 " The treatise here mentioned on Glory, which he sent soon after to Atticus and published in two books, was actually preserved and subsisting long after the invention of printing, yet happened to perish unhappily for want of being produced into light by the help of that admirable art. Raimundus Superantius made a present of it to Petrarch, who, as he tells the story in one of his epistles, lent it to his schoolmaster, who, being old and poor, pawned it for the relief of his necessities into some unknown hand, whence Petrarch could never recover it, upon the old man's death. About two centuries after, it appeared to have been in the possession of Bernardus Justinianus, and was mentioned in the catalogue of his books, which he bequeathed to a monastery of nuns; but, when it could not be found in that monastery after the strictest search, it was generally believed that Petrus Aleconius, who was physician to that house, and had the free use of the library, had stolen it, and, after transcribing as much of it as he could, had destroyed the original for fear of discovery; it being observed by the critics that, in his book 'De Exilio,' there were many bright passages, not well connected with the rest of the work, which seemed to be above his taste and genius."

had been waiting for some time for intelligence respecting the expression of opinion on the part of the Roman people at the Apollinarian games, celebrated on the 3d of July, in the name of the former. The applause with which they were received appears to have renewed the confidence of the republican party, and to have contributed in no slight degree towards the resolution of Cicero to spend but a few months in Greece, and, if possible, to be at Rome at the commencement of the consulate of Hirtius and Pansa. With a reluctance, therefore, strongly expressed in one of his letters, at being torn from his favourite pursuits, and induced to encounter a voyage, for which there no longer seemed to exist any necessity in the shape of danger to himself, he continued slowly to sail along the western coast of Italy, with his thoughts still fixed upon the delightful retirement of his villas and the society of Atticus*. On the 19th of July he had reached Velia, from whence he wrote to his friend Trebatius, who was a native of the town, desiring him to expect his return before winter, and advising him not to dispose of his villa upon the Hales, the beautiful situation of which, as well as the recollections attached to it, since it had once belonged to the noble family of the Papirii, appears to have attracted his admiration†. Upon weighing anchor from this place he commenced, for the benefit

* *Mehercule, mi Attici, apud mecum ἡ δεινὴ ὁδὸς σοί τι δύναται ; cur ego tecum non sum ? cur ocellos Italiæ, villulas meas, non video ? Sed id satis superque tecum me non esse ; quid fugientem ? periculum ne ? Id nunc quidem, nisi fallor, nullum est.*—*Ad Attic. xvi. 6.*
 “ But indeed, my dearest Atticus, I often put the question, of what avail will this voyage prove to me ? Why am I not with my Atticus ? Why lose sight of my lovely villas, the most beautiful of Italy ? But enough and too much of this. Why, my Atticus, am I not with thee ? What do I fly ? Danger ? If I mistake not, the danger is at present over.”—*Melmoth.*

† *Ad Diversos, vii. 20.*

of the same friend, as well as for his own amusement during his voyage, his work upon the plan of the Topics of Aristotle, which he afterwards forwarded to him from Rhegium*, having had no further assistance in completing it, than such as his own recollection of the writings of the philosopher of Stagira could supply. After passing through the straits of Sicily, he had reached the city of Syracuse on the 1st of August†; from whence, after remaining in the city but a single day, he again set sail for the port and promontory of Leucopetra, in the territory of the Bruttii. On the 16th of August, having probably been delayed by contrary winds, he was standing out into the main sea for the island of Coreyra, when, after proceeding for about thirty-six miles, a strong southern gale suddenly arising drove him back to Leucopetra, where he was induced to take up his residence in the house of his friend Valerius, until the weather should become more favourable for his voyage. This trifling incident was fated to have a most important effect upon his future destiny. At Leucopetra he was visited by a number of the principal inhabitants of the neighbouring city of Rhegium, many of whom had just returned from Rome. By these he was informed of an unexpected revolution of opinion in the capital in favour of Brutus and Cassius; that both had issued circular letters, requesting their friends to hasten thither on the kalends of September,‡ when it was believed that Antony would be induced to make such concessions as would be agreeable to all parties; and that his own conduct was generally blamed in neglecting the state at so important a crisis. In

* *Ad Diversos*, vii. 19.

† *Ad Attic.* xvi. 7. *Philip.* i. 3.

‡ The ordinary meetings of the senate took place on the kalends, nones, and ides of every month.

consequence of this intelligence, his intention to pursue his voyage to Greece was immediately dropped, and the resolution substituted for it of repairing without delay to Rome. On the 17th of August, again retracing his course, he had once more made the harbour at Velia, and immediately after his landing received a visit from Marcus Brutus, whose fleet was now lying in the mouth of the Hales. The result of his conference with this distinguished personage, who, after warmly applauding his change of purpose, communicated to him an angry manifesto and epistle lately issued against himself and Cassius, with their joint reply*, was such

* The following is a translation of this document, which is preserved among the Familiar Epistles of Cicero :—

“ BRUTUS AND CASSIUS, PRÆTORS, TO ANTONY, CONSUL.

“ We have perused your letter, which, like the manifesto preceding it, is filled with threats and reproaches, and by no means such a communication as it becomes *you* to address to *us*. We have never given you any provocation, Antony, nor could we have conceived that it would appear to you at all surprising, if in our public and honourable capacity as prætors, we thought it fit, by our edict, to present our demands to the consul. If you are indignant at such a proceeding, allow us in our turn to regret, that the subject of our request has not been conceded to us in our character as friends. We are willing to give you credit for honesty in denying that you have ever charged us with holding levies, extorting contributions, endeavouring to gain over the soldiery here to our interests, or sending missives abroad for the same purpose, actions which we also unequivocally disavow. Yet we cannot but wonder, that while keeping silence upon these points, you have preserved so little restraint over your resentment, as to reproach us for the part we have taken in the death of Cæsar.

“ We leave it for yourself to consider in what light we ought to consider the fact, that it is not allowed the prætors to give up part of their rights for the sake of the freedom and tranquillity of the state, without being threatened by the consul with an appeal to arms. In confidence in such means of intimidation, be assured that you will be disappointed. To alter our opinions at the prospect of danger we consider neither suitable nor becoming to our character,

as to convince him that much of the favourable intelligence he had received at Leucopetra was mere exaggeration, and that whoever presented himself at Rome, with the intention of opposing Antony, had still, owing to the cowardice of the senate and the presence of the military, a perilous path to pursue. His determination, however, of returning to the city was still unaltered ; and, after taking a final leave of the friend whom he was soon to have the melancholy honour of preceding as a sacrifice to the cause of that sinking freedom which received its last blow upon the plains of Philippi, he leisurely resumed his journey, which terminated at the gates of Rome on the last day of August. His approach to the city was no sooner known, than crowds of the principal inhabitants, as on former occasions, came forth to meet him ; and so great was the concourse around the doors of his house after his arrival, that a whole day was spent in receiving and replying to the compliments of those who presented themselves to him. He should Antony attempt to subject those to an arbitrary authority by whose assistance he is at present free.

" If other inducements were prompting us to the expedient of a civil war, your letters would have little effect to prevent it. With freemen threats must be utterly ineffectual. You are perfectly correct, however, in your opinion that no one shall compel us to such a course, and it is possibly under this conviction, that you have resorted to menaces, in order that the determination of our judgment might appear the result of our timidity.

" It is our sincere desire that you may occupy a great and honourable station in a free state, nor will we by any means invite your enmity. We cannot, however, but value our own freedom at a higher rate than your friendship. Consider attentively what you are undertaking, and what strength you possess for the attainment of your object ; nor let the length of Cæsar's life be so much the subject of your reflections as the short duration of his reign. We pray the gods that your designs may be salutary both for your own interests and those of the state ; if otherwise, however, that provided the honour and welfare of the constitution be uninjured, they may be as little injurious to yourself as possible.

" *August the 4th.*"

congratulate him upon his presence at a juncture so important for the interests of his country.

The power of Antony had been for some time considerably shaken by a rival, whom, much as he had at first been inclined to despise him, he had now learned to fear as well as to respect. By the exercise of similar determination, united with a prudence far greater than could have been expected from his years, the young Octavius had rapidly risen into an estimation at least equal to his own, among the class of men whom he regarded as his principal supporters. Immediately after his arrival at Rome, the heir and nephew of Cæsar was produced by the tribunes at a general assembly of the people, and received with extraordinary marks of popular favour. Soon afterwards, having first presented himself before the prætor Caius Antonius, to declare his acceptance of the inheritance which had recently devolved upon him, he repaired to the gardens of Pompey, at that time the residence of Antony, who had taken no notice whatever of his arrival; and after having been kept waiting a sufficient time to allow him to infer that his visit was anything but acceptable, he was finally admitted into the presence of the consul. Although Antony might have been in some measure acquainted with his character by previous rumour, it can hardly be doubted that he was astonished and confounded by the display of courage, self-confidence, and cool assumption exhibited on this occasion by his boyish visitant. Without any deference to his age or station, Octavius, as if he had at once been placed in the same relation to him as his uncle the dictator, commenced a review of his conduct since the death of Cæsar, commending in the tone of a superior his policy in opposing the thanks intended to have been offered by the senate to the conspirators, and his subsequent inter-

ference to yrest the provinces of Macedonia and Syria from the hands of Brutus and Cassius, but blaming him in strong terms for still allowing them to hold any public appointments, but above all for suffering Decimus Brutus to establish himself with an armed force in Cisalpine Gaul. He then demanded the treasure which had lately been removed from the temple of Ops, in order that he might immediately pay to the citizens of Rome the sum, to which they were entitled under the will of Cæsar. The anger of Antony, already suppressed with difficulty, while listening to the stripling, who ventured to beard him to his face with expressions of censure directed against his late policy, blazed forth at the last demand, with which he had no longer the power, and still less the will, to comply. He indignantly reminded Octavius that it was owing to his exertions alone that the body of his uncle had not been dragged through the streets of Rome as that of a public criminal, or any inheritance whatever delivered from confiscation, and suffered to descend to his relations. The funds which Cæsar had left in the treasury he represented as being likely to prove due to the state, in consequence of his extensive diversions of the public money to his own use on different occasions, and refused, until the accounts of the dictator had been regularly examined, to part with any portion of the sum which he had secured. On these terms, which, to the cost of their contemporaries, were destined not to prove permanent, the parties to this unpromising conference separated. Octavius, without showing the slightest embarrassment at the repulse he had received, began, under the pretence of regard for the honour of his deceased relative, and of sympathy with the lower orders of Rome under their disappointment, to expose his own effects to sale, for the purpose of paying part of

the legacies bequeathed by his uncle. He had, moreover, the boldness to exhibit the shows and games which Cæsar had promised to the people, in commemoration of his victories, but which his sudden death had prevented him from superintending. Having thus secured the affection of multitudes among the populace, he next proceeded to imitate the example recently set by Antony, by making a progress among the veteran colonies, and bribing them to the support of his interests by present largesses and still more liberal promises. Nor was he the only enemy against whom Antony was now called to make head. At a meeting of the senate, Lucius Piso, the father-in-law of Cæsar, a character already well known in connexion with the earlier history of Cicero, had ventured to deliver a speech replete with observations to his discredit, as well as with sentiments favourable to the cause of liberty. It was the information of this appearance of a new ally among the senatorian ranks, whom he probably considered as representing a considerable part among his order, which had exercised no small influence in inducing Cicero to present himself at Rome, as now rendered the most appropriate field in which he could exert his abilities for the benefit of his party.

It has not often happened, although in the case of Octavius already cited, we have, to a certain extent, an instance of this kind of inconsistency, that the general moral temperament induced by youth and confirmed through a series of after years, has been suddenly altered in the evening of life so far as to assume a totally opposite character. Still more rare are the instances in which timidity and caution, after generally distinguishing the conduct of an individual until the period of advancing age, have been substituted for firmness and courage, qualities to which from the instinct of experience it is almost necessarily opposed. The history

of Cicero presents a singular exception to the general rule. Though weak and irresolute on many previous occasions, when it was required of him to exert himself in the face of danger; from the moment of his return to Rome with the view of opposing Antony, there is no faltering of purpose—no vacillation—no repenting, or shrinking from his determination—to be traced in his political conduct. Having, finally, thrown himself into the breach, with the resolve of defending it to the last, he was now not to be driven from it by the actual occurrence of any of the perils which he appears to have both previously calculated upon, and learned to contemn; but entered at once upon the duty he had undertaken with a vigour which must have astonished his ambitious opponent; who could assuredly have expected no such display of self-denying patriotism from any previous acquaintance with his disposition. On the first day of September, having ascertained that the only business to be brought before the senate at their assembling was the framing of an enactment for assigning divine honours to Cæsar, he absented himself on the plea of fatigue and indisposition, the consequence of his late journey—an excuse which so exasperated Antony, who had particularly invited him to attend, and easily interpreted his answer in its true sense, that he openly threatened in full senate to pull down his house about his ears, at the head of a body of workmen, as a fit punishment for his contumacy*. This outrageous conduct elicited from Cicero on the day following, when Antony in his turn was absent, the admirable oration known as the first of his “Philippics†”—the commencing peal of that oratorical tempest which continued from this

* Philipp. v. 7.

† So called from their resemblance in point of severity to the famous orations of Demosthenes against Philip of Macedon. The title which they have retained to the present day, notwithstanding

moment to rage almost uninterruptedly, until the murderous swords of the triumvirate arrested the hand by which it had been so fearlessly directed. This speech, however, is rather a warning than an invective. The orator complaining in it of the violence threatened by Antony on the previous day—protests against the honours just decreed to Cæsar—returns thanks to Piso for the spirited avowal of his sentiments, delivered a month before—mentions the abuse of Cæsar's acts and the plunder of the temple of Ops—and reminds the present consuls of the melancholy end which had attended the dictator, as a lesson upon the superior advantages held out by the exercise of a just and equitable government when compared with those of a lawless and arbitrary despotism. He entreats them, in conclusion, to attend to the numerous explicit declarations lately given by the Roman people of dislike to their proceedings, and approbation of the conduct of those who had opposed them—and ends by asserting his determination of freely uttering his opinions upon all subjects connected with the interest of the state, if it should be still permitted him to do so, without compromising his own safety as well as that of his auditors; but, if otherwise, of reserving, not for himself, but for the future exigences of his country, a life almost sufficiently extended for the glory of its possessor.

The effect of this address, which Cicero had the mortification of finding unseconded by the rest of the senators, whom he terms an assembly of slaves relieved by the presence of but a single freeman*, was such as to raise the resentment of Antony to an excess of fury. He immediately, by his authority,

the attempt to substitute that of "Antonian Orations" appears to have been first given them in jest by Cicero, in a letter to Marcus Brutus:—"Jam concedo ut vel Philippi vocentur, quod tu quædam epistolâ jocans scripisti."—*Epis. 21*, from Brutus to Cicero.

* *Ad Diversos*, xii. 25,—(to Cornificius).

adjourned the senate to the 19th of September, and employed himself during the interval in composing and reciting at the villa of Scipio, near Tibur, a speech containing the most bitter and scandalous vituperations directed against the whole life and character of Cicero*. This was duly delivered on the assembling of the senate on the day appointed, in the temple of Concord; when the appearance of a strong armed force in attendance upon the consul confirmed the suspicious previously entertained; that it had been by no means his intention to answer his adversary by words alone. By the entreaties of his friends, who were firmly persuaded of the existence of a design against his life, Cicero was induced, although greatly against his inclination, to absent himself on this occasion also; and, on receiving intelligence of the import of the oration of Antony and of the conduct which had accompanied it, to withdraw from the neighbourhood of Rome to his villas near Naples, where he composed his reply—that magnificent invective entitled the second Philippic, which has received the title of “divine” from a writer in no respect inclined to overrate its literary merits. In this glowing manifesto of patriotic indignation against successful guilt, which flashes from beginning to end like a fiery torrent of sarcasm, scorn, and terrible detestation, the previous career, from his very boyhood, of the portentous example of wickedness whom it was intended to expose and to punish, is arraigned and portrayed in the most vivid, though occasionally not the most delicate, colours. The orator touches upon his licentious youth—his expedition, at the head of the Roman cavalry, into Egypt under Gabinius—his mal-administration of office during his quæstorship—and his efforts, during his tribunate, to bring on the civil war, of which he asserts him to have been as much the cause as Helen in ancient times, of

* Philipp. v. 7.

the expedition against Troy. He draws an unsparing picture of his disgusting sensuality and tyrannic violence while left at the head of affairs in Italy, during the absence of Cæsar—accuses him of being the foremost in arms against the cause of the republic at Pharsalia, and of exercising the most atrocious cruelties upon those who had escaped the shock of battle on that day of devastation—assails his conduct on the Lupercalia—his diversion of the funds of Cæsar to his own purposes—his manifold forgeries of acts—his instrumentality in procuring divine honours to be paid to the memory of the dictator—and concludes, amidst a dazzling display of animated eloquence, with a touching allusion to his own determination:—"I have defended the constitution in my youth: I will not abandon it in my age. I have despised the swords of Catiline: I will not shrink in terror from yours. Freely rather will I offer my own person to the extremest hazard, if the liberty of the state appear likely to be revived by the sacrifice. If twenty years ago I asserted in this very temple, that death could not happen immaturely to an individual of consular dignity, how much less so to one far advanced in years? For my own part, Conscrip Fathers, when I consider the actions which I have performed, and the honours with which they have been rewarded, the termination of life appears to me an object less of dread than of desire. Two wishes alone remain to occupy my attention—first, that, in my dying moments, I may leave the Roman people free, the greatest blessing which can be conferred by the immortal gods—the second, that each individual may speedily receive the recompense which his conduct towards our republic deserves." To the reader of the second Philippic it excites little wonder, considering the poignant expressions of hostility with which it is replete, to learn that from the moment of its publication, that dark and unslumbering ven-

geance to which he at last fell a sacrifice was unalterably sealed against its author; but few are free from a feeling of disappointment at finding, that, as in the case of the best of the orations against Verres, notwithstanding its references to an attentive auditory, and to an adversary pale with rage and trembling with conflicting emotions*, it was never really delivered; being only circulated in the shape of a political pamphlet towards the close of autumn, when the absence of Antony from Rome appeared, in some respects, to lessen the danger of his resentment.

Shortly after the composition of this oration, of which copies were forwarded to both, Brutus and Cassius finally determined upon quitting Italy for the provinces of Syria and Macedonia; in which, notwithstanding the late decrees to the contrary, they were now resolved to establish themselves by force of arms. They were induced to adopt this course in consequence of a fresh disagreement between Antony and Octavius, which threatened speedily to terminate in an obstinate war; imagining, unfortunately for themselves and for the state, that their most prudent plan would be to leave, for the present, the field of contention open to the rival representatives of the Cæsarian faction, in order to fall afterwards, with united forces carefully trained and organised, upon the exhausted victor. A late application of Octavius for the tribunate had been indirectly opposed by an edict of Antony, and the heir of Cæsar was accused of having in return hired a body of assassins to murder the consul in his own house. Whether this was a false plot, prepared with the view of throwing odium upon the object of his jealousy, or a real attempt upon his life, which seems far from improbable, Antony soon afterwards set out for Brundisium†,

* Philipp. ii. 34.

† On the 9th of October.—See *Ad Diversos* xii. 23.—to Quintus Cornificius.

where four legions, constituting a part of the army once intended for Cæsar's Parthian expedition, had already arrived, intending at the head of this threatening force speedily to return to Rome; and having overpowered all resistance to his authority in that quarter, to expel Decimus Brutus from his province, which, by a fresh alteration, in defiance of the authority of the senate, he had caused to be assigned to himself in the place of Macedonia, at an assembly of the people composed almost entirely of his partisans. On his approach towards Brundisium he was received without the walls by the troops who had lately disembarked with all military honours, but, after this single mark of respect, found the legions, from which he had expected a clamorous welcome, disposed to maintain an ominous reserve, until they had heard what terms were proposed for the assistance of their swords in removing the obstacles in his way to absolute power. When, in the usual harangue with which a Roman general was accustomed to address his soldiers after his arrival in their camp, he mentioned his intention of presenting each man, in the prospect of his future services, with four hundred sesterii*, a sum amounting only to three or four pounds sterling, a general tumult, accompanied with pointed expressions of derision, testified the disappointment of the legionaries at a promise which fell so far short of their expectations. On his proceeding to reproach them for their insolence, he was still further exasperated to observe most of the cohorts composing three of the legions present, headed by their officers, begin to defile in regular order from the ground before he had finished his address. This appearance of a mutinous spirit was followed by a frightful specimen of his vindictive temper. Ordering about three hundred centurions and privates, whom he suspected of having been especially instrumental in exciting the disaffection of the rest, to

* Dio, xlv.

he instantly arrested, he stood looking sternly on while they were successively massacred before his eyes. His wife Fulvia is also recorded to have been present at the fearful spectacle, and to have inspected the executions with such eager curiosity, that her garments were deeply stained with the blood of the dying. This cruelty, however, was productive of little advantage to his cause. Although, on his subsequent attempt to offer a satisfactory explanation of his conduct to his soldiers, the donation which he had at first proffered was received, and the new officers he had appointed to command them for the present obeyed, the seeds of disaffection were only smothered for a short time, to break out afterwards in a more serious revolt. The three legions which had suffered so severely for their discontent, were ordered to proceed along the coast of the Adriatic towards Ariminum. With the one remaining, and that composed of the Gallic soldiers, known by the military sobriquet of the *Alaudæ**, or Larks, (from the plumes upon their helmets being disposed in such a manner as to resemble, in some measure, the crests of these birds,) together with a considerable body of chosen cavalry, he again repaired to Rome.

Octavius had not in the mean time been idle. By dint of lavish donations, amounting, in some instances, to no less than sixteen pounds sterling per man, he had attracted to his standards all the veterans from Casilinum, Calatia, Capua, and other military settlements. In most of his movements he now pretended to

* Philipp. iii. 2; Dio, xlv.

† Originally raised by Julius Cæsar, who afterwards conferred upon all the soldiers who constituted it the freedom of the city. From this legion Antony, to ingratiate himself with the army, had selected a number of persons to act as judges conjointly with the knights and senators.—“*In iudice spectari et fortuna debet et dignitas.*” *Non quero, inquit, ista: addo etiam iudices manipulares ex legione Alaudarum.*—Phil. i. 9. See, also, *Ad Attic. xvi. 8*; *Plin. Hist. Nat. xi. 37*; and *Sueton. in Jul. Cæs. 24*,

be guided by Cicero, who, however, does not seem to have been more than half deceived by this outward show of deference. In several of his letters to Atticus he mentions communications in which his advice had been demanded, as to whether it would be more advantageous to make an attempt to stop the march of Antony at Capua with the three thousand veterans who had assumed arms against him, or to advance them at once towards Rome*. "I have letters every day," he asserts on one occasion, "from Octavianus, requesting me to exert myself in his cause, to join him at Capua, and a second time to preserve the state from destruction. He intends to advance immediately upon Rome. In his present, no less than in his past conduct, he shows vigour enough. Yet, after all, he is a mere boy: He counsels the assembling of a senate immediately. Who would attend it? or who, if he did attend, in the present uncertainty of affairs would run the risk of displeasing Antony? By the calends of January he may be strong enough to protect us, or before that time the contest may be finished. The youth is wonderfully in favour among the municipal towns. While on his way into Samnium he stopped at Cales and Theanum. The numbers who met him there, and the marks of encouragement he received, were quite astonishing. Could you have thought it possible? To me this will be an additional inducement to be at Rome much sooner than I had intended.†"

Both parties were now in full march for the capital. Octavius having first arrived, was allowed to secure the temple of Castor and Pollux, and to harangue the multitude assembled in the area before it, being first formally introduced to them by the tribunes; but having offended the military stationed in the city by too direct an avowal of his respect for the civil authority,

* Ad Attic. xvi. 8, 9.

† Ad Attic. xvi. 11.

and too violent a declaration against Antony, he was not only unsuccessful in gaining fresh recruits, but even deserted by many who had already declared for him. Antony soon afterwards appeared beneath the walls, and being also admitted into the city, proceeded, after having quartered his cavalry in the suburbs, towards his house, with an imposing body-guard; and by virtue of his office issued an immediate summons for the senate to assemble on the twenty-fourth of September, declaring, that whosoever should absent himself on that day, should be considered accessory to a plot which he pretended to have recently discovered, against his own life, and the safety of the commonwealth. As he had lately fulminated several opprobrious edicts against Octavius, whom he designated by the title of *Spartacus**, it was imagined that it was his intention to take severe measures against his rival, who had, in the mean time, after ordering fresh levies to be made in Etruria, prudently retired to Alba; as well as against Quintus Cicero the younger, who was violently assailed in the same proclamations as the intended murderer both of his father and uncle†; a distinction which he probably owed to a promise, afterwards more openly expressed, of formally bringing the consul to account before the people for his spoliation of the temple of Ops. Antony, however, after adjourning the proposed meeting from the twenty-fourth to the twenty-eighth of the month, was prevented from carrying any of his intended designs into effect on that occasion by unexpected and alarming intelligence, which produced an immediate change in his position and prospects. While he was in the very act of entering the porch of the senate-house he was met by especial messengers, who informed him that the Fourth and Martial legions, constituting part of the force which had suffered from his fury at

* Philipp. iii. 8.

† Ibid. 7.

Brundisium, had revolted, and strongly fortified themselves at Alba, after openly declaring in favour of Octavius. The news thus communicated induced him, after a hurried meeting of the senate, at which nothing of consequence was determined, to change on the same evening his consular robes for a military habit, and, at the head of the two legions which yet remained firm to his interests, to advance hastily towards Alba, in the hope of finding the mutineers who occupied it sufficiently off their guard to enable him to surprise their post by a vigorous assault. He was, however, received, on his attempting to carry his purpose into effect, by such a tempest of missiles, as speedily induced him to withdraw his troops in confusion*. Disheartened by his useless effort, he continued, for a few days afterwards, inactively encamped at Tibur, chiefly with the design of calling in his detached parties before setting out for Cisalpine Gaul; towards which province he had now resolved upon directing his march, hoping, by immediately entering upon active operations, to prevent the spirit of disaffection from spreading further amongst his soldiery. The citizens of Rome, being wholly ignorant of his intentions, had, in the mean time, remained in hourly apprehension of his return, and a general joy was diffused through the city, when it was at length ascertained that he had struck his tents, and was apparently marching in the direction of Ariminum. Octavius, still pretending an entire subservience to the authority of the senate, but regarded, notwithstanding, with well-grounded distrust of his inclination towards them, shortly afterwards reported that he had now nearly completed an army of five legions, and that he had also sent a message to Decimus Brutus, desiring him to stand his ground resolutely in Gaul until he should be able to come up to his assistance. Cicero, at the same time,

* Appian. De Bell. Civil. iii.

learning that the city was now entirely free from the soldiers of his adversary, ventured to appear again at Rome, to which we find, from his epistles, that he returned on the ninth of December^{*}; and on the nineteenth of the same month[†], at an assembly of the senate summoned by the tribunes of the people, (in which a manifesto of Decimus Brutus was produced, complaining of the invasion of his province,) delivered his third Philippic, immediately followed by the fourth, which was pronounced from the rostra before the Roman people. The principal intention of the orator in the former of these speeches is to praise the conduct of Octavius, (who was at the time present, and had distinguished himself by an harangue in favour of Brutus,) and to recommend that all his late actions should be sanctioned by public authority. He advises also that the most prompt and rigorous measures should be at once taken against the individual who had recently threatened the destruction of the state—that their respective provinces of Further and Hither Gaul, should be decreed to Decimus Brutus and Plancus, their present governors, for another year—that the public thanks and promises of reward should be given to the Martial and fourth legions, and to Egnatuleius, the commander of the latter, for their eminent services—and that the consuls elect, Hirtius and Pansa, should be instructed to take measures for the safe assembling of the senate on the calends of January next ensuing, and to make a fresh motion to that meeting at its first assembling upon the subjects which had just been brought under discussion. In his speech to the people he gives an account of the decrees which had just been passed at his suggestion, and adds the most powerful denunciations against

^{*} *Ad Diversos* xi. 5.—An epistle to Decimus Brutus, in which he exhorts him, by the most earnest and eloquent adjurations, to remain firm in his opposition to Antony, representing the occupation of Gaul by the latter as the last blow to the liberties of Rome.

[†] *Ad Diversos* xi. 6, addressed to the same individual.

Antony, as one fully equal to Catiline in wickedness, although inferior to him in ability and promptitude, already in effect declared a public enemy, and destined by evident omens, and other infallible signs of divine displeasure, to a speedy downfall*.

These orations closed the public efforts of Cicero during one of the most laborious years in his active existence. Shortly after they were delivered, Octavius, decamping from Alba, set his forces in motion upon the track of Antony, for the purpose of hanging upon his rear and watching his movements, until the arrival of the expected reinforcements under Hirtius and Pansa. The Roman sword was, in the mean time, already reddened with kindred blood in Cisalpine Gaul. Decimus Brutus, after having sent repeated messages to Antony, demanding the purport of his presence in arms in his province, and having only received orders in return immediately to abandon it to the governor appointed by the people, either finding himself unable to oppose the invaders in the field, or being unwilling to hazard a general engagement until the forces under Octavius and the Roman consuls should enable him to give battle with an overpowering superiority of numbers, had thrown himself, with two legions, into Mutina; to which Antony, having previously secured the towns of Bononia and Claterna, began to lay fierce and earnest siege; neglecting none of the means of attack then usually employed against fortified towns, and adding to each the full impulse of his hardy and enterprising genius. To this city the eyes of men were accordingly directed, as to a stage where the liberties of Rome, which had latterly been in so hazardous a state of fluctuation, must be recovered or ruined by the first success of either of the parties hastening to action.

During the time of Cicero's retirement in order to avoid the violence of Antony, a great part of his

* Philipp. iv. 4, 6.

leisure was employed in the production of his "Paradoxes"—a number of theses devoted to investigating the less common principles of the Stoical philosophy, and in finishing the last and most admirable of his moral works, his imperishable treatise upon the whole circle of the duties of social life, generally known as the "*De Officiis*," composed in three books, and dedicated to his son Marcus, for whose use it was principally intended, and who was at the time devoting his attention to philosophy under Cratippus, of Mitylene*. The beauty, both of the conception and execution in this celebrated dissertation—the exalted character of its views of the virtues of benevolence and justice—its true appreciation of as much of the laws of moral obligation as lies within the grasp of reason, and the comparative purity of the system of conduct which it enjoins, have never yet been regarded by the wisest without approbation or by the best without esteem; and have sometimes caused it to be considered by its ardent admirers almost as the faint reflex of that sun of Revelation which was now rapidly approaching the horizon. Whatever may be the opinion of its moral character, however, its merits in a literary point of view cannot easily be exaggerated. On the whole, indeed, it is a composition which is fully worthy of being the closing work of Cicero—the final legacy of the most illustrious of Romans, in the eloquence of the closet as well as that of the senate and the forum, to a far from unlettered age—the last link in that golden chain of works, rich with the wealth of imagination, and stamped with the vital impress of free and vigorous thought; the general tenor and effect of which, owing to the consummate skill of the writer, continue, long after a familiarity with their details may have ceased, to dwell, like some old but unforgotten melody, upon the mind and remembrance of their readers.

* *De Officiis*, i. 1.

CHAPTER XIV.

Consulate of Hirtius and Pansa—Fifth, Sixth, and Seventh Philippics—Departure of the Ambassadors of the Senate for the Camp of Antony—Eighth and Ninth Philippics—Successes of Brutus in Macedonia—Tenth Philippic—Death of Caius Trebonius—Dolabella declared a public Enemy—Twelfth Philippic—General Posture of Affairs in the Provinces—The Consul Pansa marches into Gaul—Letter of Antony to Hirtius and Octavius—Lepidus writes to the Senate—Thirteenth Philippic—Pansa attempts to effect a Junction with the Army of Hirtius—Battle of Forum Gallorum—Antony retreats to his Lines before Mutina—Fourteenth Philippic—Antony attacked in his Entrenchments and defeated—Death of Hirtius—Antony raises the Siege of Mutina and retreats towards the Alps—Successes of the Party of the Senate under Cassius, in Syria.

ON the arrival of the calends of January of the year 711, a year in which the annals of Rome display the last of the series of her presiding magistrates freely elected, in the names of Hirtius and Pansa, the new consuls having performed the usual sacrifices proceeded, in the midst of a full attendance of senators convened in the Capitol*, to lay before them the general condition of the republic, and more particularly to invite the expression of their opinion respecting the conduct of Antony in laying siege to Mutina, as well as on the subject of the rewards which had been decreed in the preceding month, to Octavius, Decimus Brutus, and the soldiers of the fourth and Martial legions. These points of discussion were introduced by both the consuls in formal orations, declaratory of their intention of supporting the liberties of their country to the last, against all opponents, and exhorting their audience to exhibit a similar display of constancy. Quintus Fufius Calenus, the father-in-law of Pansa, who had, by the nomination of Cæsar, been elected four years previously, to the consulate, a senator known to be

* Appian. De Bell. Civil. iii.; Dio, xlv.

in the interests of Antony, was then, in the usual form, desired to pronounce his opinion, and to the indignation, although not to the surprise of the constitutional party, instead of aiding them with his influence, advocated the more moderate course of sending ambassadors to Cisalpine Gaul, to admonish the late consul to relinquish his arms and submit to the authority of the senate. His motion was supported by Piso and by several other speakers*, who argued that it would be a palpable act of injustice to declare any man a public enemy without giving him an opportunity either of defending or explaining his conduct. This line of reasoning called forth from Cicero another splendid exhibition of oratorical power, in the speech entitled the fifth Philippic; in which, with admirable force and justice of demonstration, he shows the inconsistency and madness of temporising at so dangerous a juncture, and of degrading the majesty of the Roman senate and people by any further communications with one whom their former resolutions had placed in the condition of a public enemy. He briefly, but with singular eloquence, recapitulates the whole of the illegal actions of Antony since the death of Cæsar, and strenuously advises that, on such evidence of his hostility to his country, instead of sending ambassadors to allow him further time for pursuing his traitorous designs, it should be declared that a serious rebellion was in existence, and that all good citizens should be required, laying aside their ordinary occupations, to take arms against the adversary of the cause of freedom. From this subject he passes on to the public honours to be decreed to Marcus Lepidus, for his late services in conciliating Sextus Pompey to the republic, and to Decimus Brutus, now, according to the disposition of Cæsar, consul elect, as well as to Octa-

* Dio (lib. xlv.) has given a long, but evidently spurious, account of this debate.

vius, for their late conduct. As a recompense to the first, he proposes a vote of thanks and a gilded equestrian statue in the rostra—to the second, a general acknowledgment of his services to the state—to the third, whom he terms a divine youth providentially sent by some superior power to the rescue of his countrymen, and raises above Cneius Pompey in his early exhibition of the qualities of a general and patriotic statesman, the more solid rewards specified in the following proposed decree:—"Whereas Caius Cæsar, the son of Caius, pontifex and proprætor, has, at a perilous crisis of the republic, excited and levied a veteran force to defend the liberty of the Roman people; and, whereas, the Martial and fourth legions, under the guidance, and at the suggestion of the said Caius Cæsar, with the most perfect unanimity and greatest zeal towards the republic, have defended, and still do defend the liberty of the people of Rome; and, whereas, the said Caius Cæsar, proprætor, has lately set out to the assistance of the province of Gaul, and has placed at the disposal of the Roman people a force consisting of horse, archers, and elephants, serving under his command, and has upheld the safety and dignity of his country in a time of extreme danger; may it, therefore, please the senate, that Caius Cæsar, the son of Caius, be from henceforth vested with the dignity of pontifex, proprætor, and senator, and vote in the place and capacity of prætor; and that, in standing for any magistracy, he be regarded in the same light as if he had been actually prætor the year before*." He then employs all his ingenuity in panegyrising Octavius, and, with human blindness to the future, engages for his sincerity in his attachment to the republic. Nothing can exemplify a stronger confidence than his assertion upon this subject:—"I will even dare," he exclaims, "Conscript Fathers, to pledge my own credit and

* Philipp. v. 17.

honour to yourselves, and to the people of Rome, (which, unless under dread of compulsion, I should, under other circumstances, never venture to do, from fear of incurring the accusation of rashness), and on this security, promise, undertake, and declare, that the same character which he now possesses as a citizen, Caius Caesar will at all times constantly maintain; and continue to the end in every respect such as we could wish and desire him to be." The oration ends with recommending that Lucius Egnatuleius should also be allowed to stand for office three years before the legal age, and appoints liberal rewards, consisting of exemption from future service, and grants of land and money, to the veterans who had assembled at the summons of Octavius, and to the lately revolted legions*. The honours proposed by Cicero in his fifth Philippic were readily conceded by his audience, but so great was the difference of opinion upon the more important question of sending ambassadors to Antony, that three whole days were consumed in warm debates upon the subject, during which Cicero has been represented as malignantly assailed by his opponent Calenus, in a speech at least equal to any of his own in sarcastic bitterness†. The original motion was at length carried, in consequence of the intercession of Servius the tribune, in favour of the Antonian party; and it was decreed that three ambassadors, Lucius Piso, Lucius Philippus, and Servius Sulpicius, should be despatched without delay into Gaul, to command Antony, on the authority of the senate, instantly to raise the siege of Mutina, and to convey to Brutus the sense entertained by his fellow-citizens of his courage and merits. While the deliberations preceding this resolution were going forward, the population of Rome, assembling in immense multitudes in the forum, anxiously awaited the event, and as soon as the senate was known to

* Philipp. v. 19.

† Dio, xiv.

have broken up, called with one voice upon Cicero to give them an account of the result of the meeting from the rostra. This was accordingly done, after he had been introduced to the assembly by the tribune Apuleius, in the speech which stands the sixth in order among the Philippics, containing an avowal of his conviction that Antony would never concede to the demands of the ambassadors, and exhorting his countrymen to prepare for the war which was no longer avoidable. It concludes with an energetic exhortation to his auditory to exert themselves, at this imminent crisis, for the liberty decreed to them by the gods, (who had placed all the rest of the earth in subjection to their authority,) as their national inheritance; and either to conquer in the impending struggle, or prefer the last extremities to that servitude to which other nations might submit, but which the orator proudly declares to be incompatible with the destinies of the Roman people*. Nearly to the same effect was his oration before the senators, when they were consulted by the consuls soon afterwards on certain questions respecting the Appian-way and the coinage, and by one of the tribunes of the people relative to the office of the Luperi. On this occasion Cicero, when asked his opinion, availed himself of the usual privilege, which allowed every member of the national council, if he thought it necessary, to depart from the subject immediately under consideration and to introduce his opinion upon other questions affecting the general interests, by labouring, with the whole force of his eloquence, to counteract the endeavours of the friends of Antony; who were recommending a peace with him on any conditions, as at least preferable to the horrors of civil discord with which the state was threatened. Antony, in connexion with his brother Lucius, is again alluded to in such opprobrious terms as might well have

* Philipp. vi. 7.

given additional edge to his resentment against his unwearied accuser. He is described as a foul and pernicious monster, whom it would be madness on the part of the hunter to suffer to escape when fairly caught and entangled in his snares, while his brother is branded with the appellation of a common gladiator; "which word (says Cicero) I use not in any figurative sense, but as those are accustomed to employ it who deliver themselves in plain and unadorned Latin*." The orator closes his speech by exhorting the consul Pansa not to suffer the military resources in his hands to remain idle, and briefly assents, with respect to the subjects of discussion, to an opinion expressed by Servilius.

The tempest of war was in the meantime fast thickening around the walls of Mutina. Octavius Cæsar, at no period of his life particularly adapted for the office of a general, and strongly suspected, on many occasions, of actual cowardice, after directing the march of his legions across the Apennines, and advancing as far as Forum Cornelii, on the road from Ariminum to the besieged city, had there awaited the arrival of additional reinforcements, without making any attempts to impede the progress of the besiegers in the erection of the enormous works, under protection of which they continued to batter the ramparts occupied by Decimus Brutus and his resolute garrison. On the arrival of Hirtius, however, who having obtained the commission of acting in Gaul by lot, had set out from Rome in the beginning of the year at the head of two fresh legions, a vigorous attack was immediately ordered by that experienced scholar of Cæsar upon the outposts of the enemy, as a result of which Antony was speedily dispossessed of the strong position of Claterna, with

* Lucius Antonius was said while in Asia to have assumed the arms of a mirmillo, and in that character to have barbarously murdered one of his intimate companions, whom he had compelled to encounter him in single combat.—Philipp. vii. 6.

the loss of several of his cavalry in the action*. Hirtius would probably have pushed his successes still farther, had he not been advised by Cicero, with whom he was in constant communication, to hazard nothing until he should be joined by his colleague Pansa, who was vigorously carrying on additional levies, with the intention of hastening as soon as possible to his assistance. As it was, his presence compelled Antony to divide his forces, and leaving a part to continue the operations commenced against Mutina, to take post with the rest at Bononia, to observe the motions of the consular army. While the three leaders were thus watching each other's proceedings, Philippus and Piso (the third ambassador, Servius Sulpicius, having died suddenly upon the road) arrived at the camp of Antony, as bearers of the commands of the senate, and were received with great courtesy; being freely allowed to proceed as far as Mutina, and to inspect at their leisure the formidable approaches making against the city. As Cicero had anticipated and predicted, however, their journey, in all its material points, proved wholly ineffectual. So far from laying down his arms unconditionally, Antony continued daily to storm with all his battering engines against the walls of Mutina before their eyes†; and, in reply to the peremptory order he had received, notified as the only terms on which he was willing to listen to a treaty for a single moment, a confirmation of all the grants which he had made in conjunction with Dolabella, during their joint consulship, as well as of the acts which he had latterly produced, as authorised by the papers of Cæsar in his possession. He farther insisted that no inquiry should be made with respect to the treasure which he had seized in the temple of Ops; and that he should be allowed to retain possession for five years to come of the province of Gallia Comata, or Gaul beyond the

* Philipp. viii. 2.

† Philipp. viii. 7.

Alps, with a force of six legions, partly to be supplied from the army of Decimus Brutus, as well as to continue in arms as long as Brutus and Cassius should retain any military command*. On such conditions he promised to suspend his advances against Mutina, and to relinquish his claims upon Cisalpine Gaul.

The receipt of these insolent propositions, when made public by the ambassadors after their return to the city in the beginning of the month of February, excited a general feeling of indignation. Yet, at a senate convened by Pansa to deliberate upon the steps to be next pursued, Calenus and his faction had interest enough to soften many of the resolutions proposed by the party of Cicero, and wholly to frustrate others. The war, which the latter urged the assembly to declare to be then raging against the state, was altered to the milder designation of a "tumult." Antony, instead of being proclaimed an open enemy to his country, was simply designated its adversary or opponent; and a general prohibition, brought forward to prevent all well-wishers to the republic from holding from henceforth any communication with him in person, was met by an exception in favour of his lieutenant Varius Cotta, then present, and attentively observing, as well as taking notes of the progress of the debate. The main point, however, to which the constitutionalists had directed their efforts,—a resolution that the military habit should immediately be assumed by the citizens,—was carried with little difficulty. This day's proceedings are commemorated by Cicero in his eighth Philippic, addressed to the senate on the following morning, in which the resolutions already passed; and the moderate conduct of Piso and Philippus in their late embassy, are commented upon with indignant severity, and the additional clauses proposed, that Antony's adherents should be invited, by an unre-

* Philipp. viii. 9.

stricted promise of pardon, to return to their duty by the 15th of March, and that with the exception of Varius Cotta, whosoever should in the meantime pass over to his camp should be declared an enemy to the constitution, and dealt with accordingly*.

After the settlement of these more important questions, the senate proceeded, on the motion of Pansa, to consider the public honours to be decreed to Servius Sulpicius, who, by his death in his late capacity of ambassador, was considered by his friends as having in some sort sacrificed himself in the service of his country. Publius Servilius having, in reference to this question, proposed the erection of a sepulchre at the expense of the nation, without the usual accompaniment of a statue in the rostra, arguing that the latter was generally reserved for those who had fallen by actual violence when invested with the sacred character of envoys, was answered by Cicero in a brief oration, of which the principal object is to prove, that since Sulpicius had persisted, while labouring under a dangerous disease, in fulfilling the duties of the office enjoined upon him, his death, thus accelerated by his self-devotion, could scarcely be considered an ordinary casualty; and that he was therefore entitled to the fullest marks of respect paid on former occasions to citizens who had perished while in the fulfilment of a similar office. We learn incidentally, from a writer of much later date, that the arguments of Cicero in behalf of his deceased friend were successful; since a brazen statue of Sulpicius is described as existing, in the third century, on the rostra of Augustus†,—the result, doubtless, of the oration recommending its erection to the senate, which is still extant under the title of the ninth Philippic.

* Philipp. viii. 11.

† Pomponius de Origine Juris,—quoted by Manutius in his argument to the oration. ♦

The tenth of these famous speeches owed its origin to the receipt of despatches from Marcus Brutus in Macedonia, conveying the most favourable intelligence respecting the prospects of the party of the senate in that province. Brutus, immediately on his arrival at Athens in the preceding year, had summoned most of the young Roman nobility then pursuing their studies in the city to join his councils; and easily induced them, by his persuasions, actively to espouse the cause of liberty. He had then, after being aided with all the resources at the command of the proconsul Hortensius, taken the field with so much vigour against Caius Antonius, who had been despatched by his brother to secure the government against the republic, as to compel him, after abandoning all his other posts, to retire to Apollonia with but seven cohorts remaining of his whole army. Of this Brutus now gave notice to the consuls, adding at the same time the highest commendations of his active assistants, Hortensius and Marcus Cicero; the latter of whom, relinquishing at the first landing of Brutus the schools of the philosophers, and the society of Cratippus, for active service under his command, had been appointed by him to the command of his cavalry, and had already distinguished himself by making prisoners a whole legion under the orders of Piso, the legate of Antony*. Brutus also stated that Vatinius had opened the gates of Dyrrachium at his summons; that the greater part of the enemy's horse had come over to his party; that Caius Antonius might shortly be expected to be compelled to surrender at discretion; and that as the general result of such a splendid series of successes, the whole of Macedonia and Illyricum, with the rest of Greece, was entirely at the disposal, and occupied by the troops, of the senate.

* To this circumstance his parent exultingly alludes in his tenth Philippic: — *Legio quam L. Piso ducebat, legatus Antonii, Ciceroni ac filio meo tradidit.*

Pansa lost no time in summoning that assembly to receive this welcome information, in commemoration of which a noble pœan* was uttered by the great ornament of their deliberations, now confident of the ultimate victory of the cause which he had undertaken, and congratulating himself upon the vigorous and resolute character of his former counsels. After bestowing a highly-wrought panegyric upon Brutus,—vehemently censuring Calenus for his ill affection towards so eminent a patriot,—demonstrating the serious evils which would have arisen from the possession of Greece by the partisans of Antony,—and proving that nothing was to be dreaded from any extraordinary powers which might be conferred upon the late victors in that country, the orator brought forward as an improvement upon a decree proposed by Calenus, one of his own, which was readily adopted, confirming Brutus in his title of proconsul; empowering him to defend and keep possession of Illyricum, Macedonia, and the whole of Greece; to retain the full force at present under his command; and to raise such sums as might appear necessary for its maintenance, either from the ordinary sources of revenue, or the strength of the public credit. Thanks were also given in this decree for his eminent services to the proconsul Hortensius, who was at the same time desired to hold the province of Macedonia until his successor should be appointed by the senate.

The satisfaction generally felt at Rome on account of the prosperity which had attended the arms of Brutus in Greece, was soon afterwards damped by unwelcome news from Asia; where Caius Tre-

* In what beauty of language is this list of triumphs summed up!—*Tenet igitur populus Romanus Macedoniam; tenet Illyricum; tuetur Græciam; nostræ sunt legiones; nostra levis armatura; noster equitatus, maximeque noster est Brutus, semperque noster, cum sua excellentissimâ virtute reipublicæ natus, tum fato quodam paterni maternique generis et nominis.*—Philipp. x. 6.

bonius, one of the most active conspirators against Cæsar, and the only one among them of consular rank had established himself; occupying with a strong garrison the city of Smyrna, and maintaining a beneficial communication with Cassius, now in possession of almost the whole of Syria, with an army which, by recent additions, and the defection of a considerable force, while on its march from Egypt to receive the orders of Antony's late colleague in the consulship, amounted to twelve whole legions. Dolabella, to whom the province had been decreed by the opposite faction, and who had been sent out towards the end of his consulship to expel Cassius from it by force, had entered, while marching past the walls of Smyrna, into a conference with Trebonius, held without the gates; at which expressions of respect, salutations, and even friendly embraces, took place between the two leaders; and the soldiers of Dolabella, although they were not suffered to enter the town, were freely supplied with provisions by the troops who composed the garrison. This kindness was but ill repaid. Dolabella, on setting out from Smyrna with the intention, as he gave out, of pursuing his way towards Ephesus, into which Trebonius had promised that he should be peacefully received on condition of his retiring from Smyrna, only continued his course in that direction as long as he was followed by a party of horse which Trebonius had commanded to observe his motions for some distance. ~~These~~ had no sooner retired, than hastily counter-marching his army, he again approached, under cover of night, the city which he had left a few hours previously; and finding the ramparts, as he had expected, only guarded by a few careless sentinels, carried it at once by escalade. Trebonius, who had retired to rest, without any suspicion of danger at hand, was seized in his chamber, and hurried before his remorseless captor; who,

after exposing him to the most excruciating tortures for two days, to force from him a confession of the amount of the public money in his hands and the places where it was deposited, commanded him at length to be strangled, his head to be fixed upon a spear and exhibited to the people, and his mangled remains, after being openly dragged through the streets, to be thrown into the sea*. This was the first noble blood offered by his vindictive avengers to the memory of Cæsar—a fearful omen of the tide of slaughter by which it was to be followed. The intelligence of the manner in which it had been shed excited the senate at Rome, who were speedily convoked to deliberate upon the subject, to declare Dolabella, on the motion of Calenus, a public enemy, and to sentence his estates to immediate confiscation. It was also determined at once to dispossess him of Asia by force of arms; but the appointment of a general to the office was the subject of long and dubious discussion; the friends of Antony, on the one part, being anxious that the present consuls should be directed to take the war under their own management, with Syria and Asia as their provinces, in the hope that their leader would thus be left comparatively unmolested in Cisalpine Gaul; while a second party advised that Publius Servilius should be entrusted with the task of avenging Trebonius, and for that purpose immediately despatched to the East, with an especial commission. Cicero, in his oration upon the subject, (the eleventh Philippic,) advocated a course altogether different; and after touching in glowing and elevated language upon the death of Trebonius as that of a glorious martyr in the cause of freedom, and warning his audience of the cruelties which might be expected from the rest of the Antonian faction, after this terrible act of one of the most eminent of their leaders, advised that, by

* Dio, xlvii. * Philipp. xi. 2.

an especial decree, the government of Syria, Asia, Bithynia, and Pontus, and the command of the war to be waged against Dolabella should be entrusted to Caius Cassius; the superior advantages afforded by whose position and resources for speedily overpowering the enemies of his country in the Eastern provinces, he demonstrated by the most clear and convincing arguments. It does not appear, however, that this decree was ever passed, since, in a letter to Cassius, giving him an account of his exertions in his behalf, Cicero represents it as opposed by Pansa, (who was ambitious of obtaining the command for himself,) both in the senate and at a subsequent assembly of the people*, in which the orator warmly advocated the same plan.

As the consulate of Antony and Dolabella was drawing towards its close, the statue of Minerva, which Cicero had consecrated in the Capitol on the evening of his exile, and again removed from thence to his house on the first moment of his return, had been suddenly thrown down and shattered to pieces by a violent tempest†. This, in token of their esteem and respect, was now ordered, as may be gathered from a letter to his friend Cornificius, by a particular resolution of the senate upon the eighteenth of March‡, to be restored at the public expense. The fact, recorded amidst events of much graver consequence, is sufficiently characteristic of the spirit of the age, and it was precisely of the kind likely to be regarded by his countrymen, after the death of Cicero, as having prognosticated his approaching end. In such a light it was certainly not considered by the orator, whose power and in-

* Ad Diversos, xii. 7.

† Dio. xlv.

‡ Ad Diversos, xii. 25. The festival of the Quinquatria, a day especially devoted to the honours of the goddess:—*Quinquatribus frequenti acnatu causam tuam egi non invitâ Minerva. Eo ipso die senatus decrevit ut Minerva nostra custos urbis, quam turbo dejecerat, restitueretur.*

fluence had now risen to a height not hitherto exceeded in his most exalted state of dignity, and who might be well encouraged, by the expected issue of the events in which he had of late been a principal actor, to anticipate, instead of the calamitous fate reserved for him, more ample honours from the gratitude of his countrymen than any by which he had yet been distinguished.

The garrison of Mutina, weakened by the constant assaults directed against them, and prevented by the judicious dispositions of Antony from receiving the least supplies of men or of provisions from their friends without, were now reduced to the last extremity. Their spirits had been for some time kept up by intimations of the vicinity of the army sent for their relief, conveyed by lights hoisted to the tops of lofty trees, (which, as the surrounding country was perfectly level, were easily seen at night from the ramparts,) and afterwards by the more direct communications afforded by expert divers; who undertook by swimming down the river to convey to its destination any intelligence which it might be thought requisite to forward to the town, engraved on metal plates. The historian Pliny adds, that when this method of intercourse was stopped by nets drawn across the stream, letters were still, for some time, sent by Brutus into the camp of the consul attached to the feet of carrier-pigeons*. By these means, the desperate condition of the besieged was known at Rome; and although the indomitable resolution of the garrison and its commander was fully appreciated, the intelligence was expected almost

* "Quin et internumit in rebus magnis fuere, epistolas annexas earum pedibus obsidione Mutinensi in castra consulum Decimo Bruto mittente." The succeeding comment is characteristic of the style of this quaint but elegant writer:—"Quid vallum et vigil obsidio, atque etiam retia amne prætenta, profuere Antonio, per cælum eunte nuntio?"—*Nat. Hist.* x. 53.

hourly that the town had been carried by the assailants, and Brutus subjected to the fate of Trebonius. Under the influence of this apprehension, it was proposed by the consul Pansa, that a second embassy should be sent to negotiate a peace with Antony. Many members of the senate seconded the motion, and added their advice, that Publius Servilius and Cicero should be charged with the commission. The latter, influenced by whatever motives, so far from making any objection to the plan, even expressed his willingness to act in the capacity assigned to him. But a night of reflection convinced him that he could neither, consistently with his own safety, nor with the interests of the republic, appear in the presence of Antony, and that any negotiation would now tend but to lessen the dignity of the senate without a chance of producing any other effect than of increasing the insolence of their enemy*. His change of opinion, and determination to decline the embassy which he had incautiously accepted, were accordingly expressed the next day in his twelfth Philippic; in which, blended with his usual thunders against the leader in arms against the state, he gave convincing reasons for suspending the proposed mission, or, at least, for exempting himself from undertaking it. The project was accordingly dismissed; but, as it was necessary to make an immediate attempt in some shape for the rescue of Decimus Brutus, it was finally determined that Pansa should hasten at the head of four legions which were quartered in the suburbs, and eager for active service, to effect a junction with his colleague Hirtius, and oblige Antony, either at once to raise the siege of Mutina, or to hazard, with every prospect of discomfiture, a general action with the troops of the republic.

Pansa seems to have set out upon his expedition

* Philipp. xii. 2.

towards the end of the month of March*, leaving Cicero to manage affairs at Rome during his absence. The indefatigable industry and versatile mind of this eminent statesman, now formally acknowledged the head of the party whose movements he had so long directed, were never exerted with greater activity than at the present important juncture; as may be judged from as much of his correspondence as is left with the principal generals under arms for the preservation of the commonwealth, exhorting, encouraging, and inducing each, by every possible argument, strenuously to maintain the part he had undertaken — obviating objections — allaying jealousies, and holding out the promise of ample and certain rewards. That a clear idea may be formed of the resources upon which the senate and their opponents at this time relied, and of the prospects and condition of both, it may be as well to cast a general glance upon the position of the contending parties, both in Italy and its dependent provinces.

In the East Caius Cassius, at the head of a powerful fleet and army which had placed itself under his command, and aided by Lentulus, who had been sent with an extraordinary commission into Asia, was pursuing that career of victory against Dolabella which his eminent military talents and thorough knowledge of the country in which he was acting were so likely to ensure. In Macedonia the war was completely at an end. Caius Antonius, after his retreat to Apollonia, on gaining information of the advance of Brutus to invest the place, had thought it expedient to withdraw to Buthrotum; but having been attacked on his march by a detachment of the enemy, and weakened by the loss of three of the seven cohorts he commanded, he was completely routed in

* See the letter of Cicero to Plancus, (*Ad Diversos*, x. 10,) dated the third of the calends of April, (the 30th of March,) in which he speaks of both the consuls as being absent from the city.

a second engagement with a division headed by the younger Marcus Cicero, and compelled to surrender himself prisoner. A letter, ascribed to Brutus, is preserved requesting the advice of Cicero as to the conduct to be pursued towards the captive, and speaking, in such high terms of the services rendered by his son, as must have been especially gratifying to the parent to whom the commendation was addressed:—"Your son," he writes, "does so much to deserve my approbation by his industry, patience, unwearied exertions, magnanimity, and, in short, by the zealous performance of every duty, as to induce me to believe that he constantly bears in mind the father to whom he owes his birth. Since, therefore, he is already so far the object of your affection that no representations of mine can increase your regard towards him, concede thus far to my judgment, as to believe that he will have no occasion to have recourse to your renown in order to attain to his father's honours*." In the same epistle he complains of both the want of men and money to preserve his recent conquests. To this Cicero replies evasively, by stating the opinion of Pansa, that all the levies that could be raised would be required by the exigencies of the state in Italy, where he seems justly to think that a blow decisive of the fortunes of the republic must speedily be struck†. In this letter he also advises that C. Antonius should be strictly guarded until the fate of Mutina and its governor should be known. But in other epistles of later date the doctrine of severity towards the vanquished, to which the mild and benevolent disposition of M. Brutus was utterly averse, is strongly urged‡; and it is not obscurely intimated,

* Ad Brut. xxi.—Dated from Dyrrachium, April 1st, and received by Cicero at Rome on the eighth of the same month.

† Ad Brut. xxii.

‡ This dangerous policy is thus expressed:—"Vehementer a te Brute dissentio; nec clementiæ tuæ concedo, sed salutaris severitas

that the extreme penalty of their rebellion against the state, if inflicted upon any of the family of Antony, would be far from meeting with the disapprobation of the citizens of Rome. The answer to this suggestion, on the part of Brutus, is a noble and manly vindication of the course he had pursued, and, to his eternal honour, contains a direct refusal to be accessory to the death of one whom, after having granted him his life as a prisoner of war, he was now compelled, in common justice and humanity, to reserve for the future judgment of the senate and Roman people*.

The province of Africa was held by Quintus Cornificius, an old friend and correspondent of Cicero, and sufficiently attached to the cause, which he afterwards sealed with his blood, to leave the senate no reason for apprehending any opposition to their commands from a country under his government. In the Farther Spain the polished and accomplished Asinius Pollio, immortalised in the pages of Horace and Virgil, maintained at least that appearance of submission to the established authorities, which is expressed in his admirably worded letter to Cicero from Corduba, dated the sixteenth of March, of this year; in which he gives as the reason of his delay, the impossibility of advancing into Italy while all the passes of the Alps were guarded by the soldiers

vincit inanem speciem clementiar. Quod si *clementes esse volumus nunquam deerunt bella icivilia.*"—Ad Brut. iii. ; and again, if the epistle be genuine, Ad Brut. xxiii. "Neque dissolutum a tó quidquam homines expectant neque crudele. Hujus rei moderatio facilis est, ut in duces vehemens sit, in milites liberalis." To the admirers of the character of Cicero, these passages will appear among the strongest evidences against the authenticity of the letters to M. Brutus. If really from his pen, the writer could little have anticipated the use soon afterwards made of such maxims against himself.

* Ad Brut. iv.—The whole of this beautiful epistle, written after the intelligence of the relief of Mutina, is well worthy attention.

of Lepidus. The latter, to whom the province of Hither Spain had been assigned by Julius Cæsar with a force of no less than seven legions, after suspending his march to his government on receiving information of the commencement of hostilities in Italy, was now slowly retracing his steps through the territory of Narbonne, yet undetermined as to the party which it would be most to his interest to espouse. He had received in ungracious silence the honours lately decreed to him by the senate for his successful interference to bring about a reconciliation of Sextus Pompey with the state, and was viewed, both from this sign of disaffection, and from his well-known want of principle, with equal suspicion and dislike by the republicans. Transalpine Gaul was held by the consul elect, Lucius Plancus, with an army consisting of five legions and a multitude of auxiliary troops, fully equipped for immediate service. This commander, after long hesitating to make any active movement or open declaration of attachment to the party of the constitution, had been at length gained over, by the powerful persuasions contained in several letters of Cicero, still remaining, to declare for the senate. His public communication to that effect to the consuls, prætors, tribunes, and senate, was received soon after the departure of Pansa from Rome, and afforded universal joy from the prospect it held out of the accession of so important an increase to the force already at their disposal, and the assurances contained in it, that all the cities in the province under the command of the writer were perfectly disposed to second him in his exertions to maintain their national liberties, which they seemed to consider as identified with the cause of Roman freedom*.

In Italy, the march of Pansa across the Apennines towards Cisalpine Gaul, and the prospect of an imme-

* Ad Diversos, x. 8.

diate engagement with the army of Antony, as soon as he should have united his troops with those of Hirtius and Octavius, still further excited the hopes and anticipations of certain success among the friends of liberty. Beyond this, however, nothing had been effected towards the delivery of Decimus Brutus from his perilous situation. The relieving armies were yet stationed at Forum Cornelii and Claterna, separated from the division covering the siege of Mutina, and commanded by Antony in person, by the streams of the Rhenus and Lavinius; while the most desperate efforts were constantly made to win the town, now exposed to the extremities of privation in consequence of the tedious blockade it had undergone, by various methods of assault. The whole strength of Antony, however, was not comprised in the army stationed about Mutina, since two legions in his service, under the orders of Ventidius, were lying in the Picenum; whither they had retreated after the abandonment of a design of suddenly entering Rome, and carrying off the principal members of the senatorial party, with Cicero at their head*, and were now securely posted in such a manner as completely to command the Flaminian way.

While such was the general condition of the republic at home and abroad, a letter was received at Rome, which had been forwarded by Antony from his lines near Mutina to Octavius and Hirtius, and, after perusal, transmitted by them without delay to the senate. This contained an address to the two commanders, intended to excite in both a feeling of disaffection towards the cause for which they were in arms; and, as singularly expressive of the mingled daring and subtlety of the future triumvir, (who, like the Spartan monarch of old, was never indisposed to eke out the lion's skin with that of the fox.)

* Appian. *De Bellis Civil.* iii.

it seems not unworthy of consideration. The epistle, of which the very superscription was intended to appear characteristic of military bluntness, may be thus translated :—

“ ANTONY TO HIRTIUS AND CÆSAR.

“ The intelligence of the death of Trebonius has given me no less joy than sorrow, since I could not but exult on hearing that a villain had made some atonement by such an end to the ashes of a most illustrious individual, and that Divine justice had displayed itself even within the short compass of a year, by actually accomplished, as well as in threatened, vengeance against the crime of parricide. Deeply, however, must I lament that Dolabella has been declared a public enemy, for his punishment of an assassin, and that the life of the son of a low buffoon has appeared dearer to the Roman people than that of Caius Cæsar, the parent of his country. But more painful to me still is the reflection that you, Aulus Hirtius, loaded with the benefits of Cæsar, and raised by him to a condition so exalted as to make you an object of wonder to yourself, and that you, boy, who owe everything to his name, should have exerted yourself to the utmost that Dolabella might appear justly condemned; that a secret murderer should be freed from the perils of a siege, and that Brutus and Cassius should be invested with unlimited power. Doubtless you are inclined to view the present state of affairs as the past was once regarded. The camp of Pompey you term the senate. The vanquished Cicero is considered your general. You have strengthened Macedonia with arms, and transferred Africa to the twice-captured Varus; despatched Cassius into Syria; suffered Casca to enjoy the tribunate; deprived the Luperi of the revenues assigned them by Cæsar; abolished the colonies of

veterans, established both by the people and the senate; promised to restore to the people of Marseilles all of which they have been deprived by right of war; despised the regulation that no Pompeian can hold office during life, fixed by the Ilirtian law; supplied Brutus with the money of Apuleius; commended the execution of Pœtus and Menedemus, the friends of Cæsar, and gifted by him with the freedom of the city; and neglected the injuries of Theopompus, compelled by Trebonius to fly despoiled and exiled to Alexandria. You behold without resentment in your camp Sergius Galba, girded with the same dagger with which he slew Cæsar; have collected forces composed of my own soldiery or of veteran troops, as if for the destruction of Cæsar's murderers, and led them on, unaware of your designs, to endanger the lives of their own quæstor, or general, or fellow-soldiers. What, in short, have you not done or approved—or what more could Pompey himself do, were he recalled to life? To crown all, you refuse to listen to overtures of peace, unless I allow Decimus Brutus to escape, or supply him with provisions. Reflect whether such conduct is likely to please those veterans who are yet uncorrupted, since, as for yourselves, you have been purchased by the poisoned gifts and flatteries of your enemies. But you come, you will say, to assist the troops whom I am besieging. I have no wish to prevent their being saved, and suffered to depart in whatever direction you think fit, provided they leave their general to perish as he has deserved. You inform me that mention of peace has been made in the senate, and that five persons of consular dignity are appointed as ambassadors to effect it. It is difficult to believe that those who drove me to extremities, after I had offered the most equitable conditions, and intended to remit some part even of these, can act in any respect with moderation

or humanity; nor is it very likely that the same persons who have declared Dolabella a public enemy, on account of his most righteous act, will feel inclined to spare me, who profess myself a sharer in his sentiments. Consider, therefore, whether it is more useful to your party, or more creditable to those enlisted for its support, to avenge the death of Trebonius or that of Cæsar; whether it is more equitable that we should be at mortal contention to effect the revival of the cause of Pompey, so often destroyed, or unite to prevent ourselves from becoming the sport of our enemies, who are sure to be the gainers by the death of any one of us as a result of our disputes: although fortune has hitherto interfered to prevent the spectacle of two armies, belonging to the same party, fighting, like rival gladiators, to please Cicero, the master of the show; who has been so far fortunate as to deceive you with the same specious artifices* with which he once boasted of having deluded Cæsar. For my own part, my resolution is already taken, neither to submit to insult offered to myself or to my friends; nor to desert the party which once incurred the hatred of Pompey; nor to suffer the veterans to be ejected from their settlements, or dragged one by one to torture; nor to prove false to the faith which I have plighted to Dolabella; nor to violate my alliance with Lepidus, that most religious individual†; nor to betray Plancus, the participator of my counsels. If the immortal gods assist me, as I confidently hope they will, in following out these upright sentiments,

* In the original "*elegantiss.*," an affected phrase which it is difficult to translate by an appropriate term, and which Cicero does not suffer to escape in his comments upon the sentences of the epistle *seriatim*.

† "*Piissimi hominis.*" No one can forget the concentrated force of irony with which Cicero falls upon this title:—*Tu porro ne pius quidem sed piissimos quæris; et quod verbum omnino nullum in lingua Latinâ est, id propter tuam divinam pietatem novum inducis.*—*Philipp. xiii. 19.*

life will be pleasing. If, however, a different fate awaits me, I can at least enjoy, by anticipation, the punishments which will afterwards fall upon yourselves. For if the Pompeian faction, although vanquished, behave themselves with so much insolence, it will be for you to experience what their conduct will be when victorious. My ultimate decision is this—to endure and forgive the injuries inflicted upon me by my own friends, if they, on their part, are disposed to bury them in oblivion, or to add their efforts to mine in avenging the death of Cæsar. It is not my opinion that any ambassadors will be sent; when they arrive I shall be better acquainted with what they have to propose.”

This epistle, so well calculated to injure the republican cause, either by influencing the minds of those to whom it was addressed with a feeling of dislike towards their political allies, or by exciting, when made public, a sense of jealousy and distrust of their sincerity among the members of the senatorian party, was received almost simultaneously with a despatch from Lepidus, earnestly recommending the adoption of pacific measures*. The communication was only regarded as a fresh evidence of his disaffection, and at a meeting of the senate, convened to take it into consideration, it was easily carried, at the suggestion of Servilius, that, after being coolly thanked for his unwelcome interference, under pretence of reconciling the prevailing discords, he should be requested to suffer, for the future, the senate (whose firm opinion it was that no peace could be made until Antony should disband his forces) to take what steps they might think proper in reference to the disputes agitating the state. On this occasion Cicero delivered his thirteenth oration against Antony, with a view of supporting the opinion of Servilius, and of moving, in

* Philipp. xiii. 4.

addition, that the offer of assistance, which had been recently received from Sextus Pompey, should be accepted with expressions of public gratitude. His arguments against all overtures of peace with his enemy were supported by a perusal of the late letter of Antony to Octavius and Hirtius, the examination of which, almost word by word, with a view of exposing the writer to the scorn and hatred of the audience, constitutes the greater part of the speech. Although the subject might appear to hold out no very extended field for the exhibition of his talents, it must be conceded that, among the several invectives of Cicero of which Antony is the subject, this is only surpassed by the second in vivid power and energy. Every sentence is brilliant with genius, but it is the brilliance of lightning, which consumes while it dazzles. The keenness of its finely-tempered and almost exhaustless sarcasm, its remorseless but not undignified irony, its uninterrupted and unerring wit, (which the reader is apt to think no moral panoply of indifference or effrontery could have repelled,) certainly leave it unsurpassed by any production of the kind either in Greek or Roman literature; and those who seek for a model of denouncing, convicting, and avenging eloquence, need not look much beyond this masterly, but hitherto strangely neglected, oration.

The peace of Antony, however, was far less likely to be disquieted by this burst of indignant rhetoric than by the intelligence, conveyed to him shortly afterwards, that the consul Pansa was already in communication with his colleague, and that the two generals might be expected speedily to unite their armies. To facilitate this desirable object Hirtius had despatched the whole of the Martial legion and two prætorian cohorts, on the night preceding the fifteenth of April, to secure the march of the expected force to his camp, and to act as its advanced guard on

the way thither. This detachment, after proceeding some miles without molestation, fell in with the legions of which it was in quest, near Bononia, and being safely united with them, began to lead the way towards the head-quarters of Hirtius and Octavius ; now established much nearer to Mutina, in consequence of a succession of skirmishes, by which the outposts of the besieging army had been driven in, and compelled to take up positions disposed over a space, much less extensive than the ground which they had formerly occupied. Antony, in the mean time, duly informed of the vicinity of Pausa, and fully sensible of the importance of preventing, if possible, his union with Hirtius, while he was at the same time unaware of the movement of the Martial legion to support him, drew out from his lines, on the same night, the second and thirty-fifth legions, with two prætorian cohorts, a strong body of *evocati**, and a multitude of light horse and infantry ; deeming this force amply sufficient to overpower the four legions of recently levied recruits, which alone he expected to encounter. On reaching the village of Forum Gallorum, situated on the Æmilian way, between Bononia and Mutina, he concealed his legions behind the houses and the broken ground in their vicinity. His light cavalry and irregular troops, among whom were a considerable number of Moorish horse, were scattered in detached parties in front, separated from the heavy infantry by a narrow pass, bordered on each side by thickets and marshes. In this position he leisurely awaited the arrival of the consular troops, who at length made their appearance ; the

* The " *Evocati* " were veteran soldiers, who, after having retired from the service, were again induced to take arms on any pressing emergency, or by the request of some favourite leader. They were considered entitled to peculiar privileges, not being subjected to any of the ordinary labours imposed upon the legionaries.

Martial legion and the prætorian cohorts, which had accompanied it, forming the van, and the rest following at a short distance, in an extended line of march. On the first sight of Antony's irregular troops, the leading division of the army of Pansa, regardless of the restraints attempted to be placed upon their impetuosity by their officers, rushed furiously forward to the encounter, and finding the enemy, in pursuance of instructions previously received, give way before them after but a feeble show of resistance, hurried through the pass in pursuit, and continued their disorderly progress until they were checked by the sight of the threatening array of the columns composing the heavy-armed infantry of Antony; which, having been drawn out from their ambush, and formed in front of the village during this tumultuous skirmish, suddenly appeared amidst the cloud of fugitives, bearing rapidly down upon their adversaries in order of battle. The Martial legion and the prætorians, composing together but twelve cohorts, were consequently alone able to deploy, (the two legions immediately following, although sent in all haste by Pansa to their support, being yet at some distance,) when they were exposed to the terrible shock of the enemy's line. The contest was, notwithstanding, for some time more fiercely maintained than might have been expected from the disparity of the numbers engaged. On the right Antony's thirty-fifth legion was manfully met and driven back for more than five hundred paces by eight cohorts of the Martial legion, under Sergius Galba. The prætorian cohort of Octavius, stationed on the Æmilian way, and forming the centre of its own force, distinguished itself also by a desperate resistance, but the left wing being outflanked and completely overthrown by its opponents, while the cavalry of Antony began to pour round in that direction and to threaten the

whole rear, it was deemed advisable to order an immediate retreat. This was, however, effected in some confusion, and the panic spreading among the legions behind, a general flight of the whole army at length ensued, which was not stopped until the camp, from which they had set out in the morning, received the vanquished multitudes, who were followed to its very gates by their pursuers. It was during this disorderly rout that Pansa, endeavouring to rally his broken columns, was struck down amidst the tumult, and having received several severe wounds, was with difficulty carried off the field by his attendants to Bononia. Not contented with his first advantage, Antony, on coming up to the entrenchments within which his enemies had taken refuge, gave instant orders for carrying them by assault. In this rash attempt, however, he was completely repulsed, and having met with the same ill success in several repeated attacks, he was at length obliged to draw off his forces, having wasted much valuable time, and no inconsiderable number of his troops, to no purpose.

Meanwhile the consul Hirtius, on gaining intelligence of what was going forward, had, in his turn, drawn out twenty veteran cohorts composing the seventh and fourth legions, and advancing at the head of these to Forum Gallorum, had taken up the very same ground occupied by Antony in the morning, with the intention of intercepting his retreat. The victorious army, returning from its assaults upon the camp of Pansa, was thus assailed while labouring under disadvantages precisely similar to those which had conduced to the rout of its opponents a few hours before, and being, moreover, fatigued with its recent exertions, was, after a short resistance, borne back, and driven in all directions before the veterans of Hirtius. Antony, finding his utmost endeavours to re-form his flying legions unavailing, made the

best of his way with his cavalry to his lines before Mutina, which he reached two hours before midnight. He left in the hands of the enemy two eagles and sixty standards, and the flower of his forces either slain or disabled, on the ground over which he had on the same day alternately passed as a victor and a fugitive. With the exception of those of the Martial legion and the prætorian cohorts, who fell in the first encounter, the loss of the consular armies was but trifling*.

This was the first battle of Mutina, the intelligence of which, having arrived with the usual exaggerations at Rome five days after its occurrence, caused so general a feeling of exultation in the city, that the house of Cicero was surrounded by an immense multitude, who insisted upon his conducting them in solemn procession to the Capitol, and afterwards giving a public account of the victory from the rostra. He was then escorted home amidst general acclamations and enthusiastic expressions of regard. On the day following† Marcus Cornutus, the prætor urbanus, having summoned a senate to deliberate upon the subject of the despatches he had just received, it was proposed by Servilius, after the usual recommendation of a public thanksgiving, that, since the imminent danger which had lately threatened the state might now be considered as, in a great measure, past, the citizens should lay aside the military habit, and assume the ordinary dress of peace. This motion was followed by the fourteenth Philippic of Cicero, which, containing no ordinary beauties of language, possesses an additional interest as the last of his extant orations. After advising the postponement of the laying aside the military

* See the letter of Galba to Cicero, giving a full account of the engagement.—*Ad Diversos*, x. 30.

† The twenty-first of April, the day before the Vinalia.

dress; until there existed no prospect of a necessity for again assuming it, he powerfully argues in this speech for the necessity then existing, more strongly than ever, of declaring Antony a public enemy; both for the justification of those who had lately been instrumental in the destruction of his followers, and in order to avoid the palpable inconsistency which would be manifested in decreeing a public thanksgiving for the defeat of a leader who had not yet been placed under the ban of the republic. He mentions a late defence of himself by the tribune Apuleius, when, after the prevalence of an unfavourable rumour respecting the operations before Mutina, he had been accused, by a confederation formed by the partisans of Antony for the especial purpose of his destruction, of an intention of illegally assuming the consular fasces.* He dwells in terms of eloquent eulogy upon the conduct of the fourth and Martial legions, touches in a strain of lofty pathos upon the fate of those who had fallen, and ends by recommending a public monument in honour of the slain, a supplication to the gods, of fifty days' continuance, in acknowledgment of the recent victory, and the thanks of the nation to Hirtius, Pansa, and Octavius; the latter of whom he proposes to designate by the title of imperator, with much undeserved commendation of his valour in beating off a division of the enemy who had attempted to surprise his camp, while his colleagues were engaged with Antony at Forum Gallorum.

The second battle of Mutina took place a few days after the first, and seemed firmly to establish the power of the senate, and to complete the ruin of Antony. Octavius and Hirtius, conscious of the weakened condition of the garrison of Mutina, and the impossibility of its holding out much longer without some means of relief, and, at the same time, as it may

* Philipp. xiv. 6.

be naturally inferred, flushed with the recollection of their recent success, at length resolved upon the bold expedient of assailing the besieging army in their entrenchments. After one or two days of preparatory manœuvring, Antony, provoked by repeated feints of attacks upon various quarters, was induced to draw out the principal part of his troops, and fairly to offer battle before his lines. In the engagement which followed he sustained a defeat much more serious than the first. With the legion which he had arrayed against Hirtius he was compelled, after a severe struggle, to fly from the open field to the shelter of his works; while, at the same time, Decimus Brutus, seizing the opportunity, and furiously sallying out at the head of his garrison, swept from their position the division which had been left to keep in check any movement from the town. The victors, pursuing their success, were unimpeded even by the ditch and rampart protecting the camp of the besiegers; of which they would have gained full possession, after carrying it by storm, had not Hirtius, bravely fighting at the head of the assailants, been killed in the heat of the conflict close to the tent of Antony*, together with Pontius Aquila, one of those most deeply implicated in the conspiracy against Julius Cæsar. By the confusion caused by the fall of the consul, and by the neglect or inability of Octavius to make the proper disposition to keep possession of the ground which he had gained, Antony was enabled to recover his lines. His army was, however, so terribly shattered by the severe loss it had suffered, that, despairing of making any impression upon Mutina, he resolved at once to abandon the siege, and decamping in the night commenced his retreat, by forced marches, towards the Alps, in the hope of receiving assistance from the army of Lepidus, which was lying on the other side of that mountain boundary.

* Appian, *De Bellis Civil.* iii.

At no long interval from the occurrence of this fresh success, the representatives of the Cæsarian party in the East were reduced to the last extremities by the talents and courage of Caius Cassius. After several skirmishes by land, and one or two severe engagements by sea, in an attempt to transport his army into Macedonia, Dolabella, having failed in a plan for surprising the city of Antioch, was compelled to take refuge in Laodicea; where his navy being annihilated before his eyes, and all means of escape precluded by the forces with which Cassius had invested the place, he put an end, by the sword of one of his attendants, to a life polluted by every species of villany and licentiousness. This last event was not, indeed, known at Rome until some time after the raising of the siege of Mutina; but the general tenor of the operations in Syria was before ascertained to be such, as to leave no doubt of a favourable termination to the contest with Dolabella. Thus, in every quarter, success seemed to smile upon the arms of the republic. It was, however, but a transitory gleam of triumph. The highest point of prosperity had now been gained; and, little as it was expected, the change was already begun, by which disappointments and disasters alone were from henceforth to attend the cause of Roman liberty, in its rapid progress from a delusive state of temporary vigour to utter and hopeless ruin.

CHAPTER XV

Death of the Consul Pansa—Coolness of Octavius towards the Cause of the Senate—Letters of Marcus Brutus and Lepidus to Cicero—Lepidus revolts to Antony, and is declared a Public Enemy—Octavius advances to Rome, and is returned Consul—Universal Defection of the Armies in the Western Provinces—Second Triumvirate and Proscription of the Republican Party—Cicero flies to Astura—Death of his Brother and Nephew—He lands near Caieta—Is overtaken and slain by Popilius Lænas—Insults offered to his Remains—Remarks on his Character—Philosophical Writings—Correspondence—And Eloquence.

ANTONY, after decamping from Mutina, was for two days suffered to continue his march unpursued ; since Decimus Brutus, although he had plainly perceived, on the morning after the commencement of his retreat, the works before the town unoccupied by their customary guards, and the space once covered with the tents of his adversaries again vacant, did not dare, with the slender force at his command, to venture from his stronghold, until he had received certain intelligence that the siege was fairly raised. Octavius, on his part, also, from reasons unexplained, remained inactive in his camp, without either sending out parties to harass the rear of the retiring enemy, or even availing himself, for many hours, of the opportunity of opening a communication with the garrison of Mutina. Pansa, in the meantime, from the effect of the wounds he had received in the first engagement at Forum Gallorum, was lying at the point of death in Bononia. It was extensively believed at an after period, when the conduct of Octavius had given an apparent sanction to the report, that just before he expired, the consul had solicited a secret interview with the young Caesar, in which he earnestly warned him against placing any confi-

dence in the senate; assuring him, at the same time, that it was their intention to flatter him only as long as he might be serviceable in opposing the ambition of Antony, but that his destruction might be considered as sealed at the first moment when that redoubted leader had ceased to be the object of their terror*. The story was, no doubt, wholly without foundation, and forged either by Octavius, or by his partisans, to justify his treacherous abandonment of the cause he had at first advocated. No greater credit, however, on the other hand, appears to be due to a charge, propagated with equal industry by his enemies, that he had caused Ilirtius to be assassinated, in the heat and confusion of battle, by the swords of his own soldiers, and bribed Glyco, the physician of Pansa, to pour poison into his wounds, which were not at first believed to be mortal†. But it is on all hands agreed, that from henceforth his adherence to the cause of the senate might be considered as merely nominal, and that he directly refused, when strenuously urged to commence his march without delay, to accompany Decimus Brutus across the Apennines; suffering that leader to continue the pursuit with no other troops than the wasted garrison acting under his direction, and such recruits as he could hastily add to their number. To this circumstance Brutus, in one of his letters to Cicero, attributes, with every appearance of justice, the escape of the common enemy from his hands; asserting, that if he had but been seconded, in any respect, by Octavius, it would probably have been in his power to finish the war without another stroke‡.

* Appian. De Bellis Civil. iv.

† Tacit. Annal. i. 10. Sueton. in August. xi.

‡ "Quod si me Cæsar audisset atque Apenninum transisset, in tantas angustias Antonium compulxissem, ut inopiâ potius quam ferro interficeretur."—Ad Diversos. xi. 10. Dated from the camp of Brutus,

As it was, Antony, pursuing his way to the fens of Sabata *, on the Ligurian coast, a position from which it was vain to attempt dislodging him by force, was there joined by Ventidius, with the two legions which he commanded ; and after making an effort to surprise Pollentia, which was prevented by the vigilant enemy, still hanging with stern perseverance on his rear, prepared to follow out his design of crossing the Alps without further delay.

To the interests of the senate the deaths of Hirtius and Pansa were productive of serious detriment ; as by these events the republic was deprived of two able officers, who, had they lived, would probably have kept the troops in their allegiance ; while the whole of the force under those generals was thrown into the hands of Octavius, and the consulate exposed as an irresistible bait to his ambition. Their first step was to decree him the honour of an ovation for his services,—an exceedingly politic distinction ; since, in order to enjoy it, it would be incumbent upon him to disband his army, before entering Rome. They then proceeded to bestow extraordinary marks of their respect upon Decimus Brutus, who, by the arrangement of Julius Caesar, was now entitled to the vacant consulship, declaring him general of all their forces both in Italy and Gaul. Nothing more imprudent than this decree could well be imagined. From the moment it was issued, the future course of Octavius, which might yet have been altered by a different policy, was determined. Passing at once from the lukewarm allegiance, induced by the prospects opening before him after the siege of Mutina, to a state of open hostility, under pretence

near Dertona, May 5. In this epistle it is also stated, that Antony, in order to recruit his forces, had broken open all the prisons on his route.

* Ad Diverson, xi. 10.

that he had at length discovered the real sentiments of the republican party towards him, he now began to manifest a direct disobedience to their orders; not only refusing to part with one of the legions of Pansa, which Decimus Brutus had demanded, but by inducing both the Fourth and Martial legions, as well as the whole of his own army, to receive no orders but such as he himself thought fit to issue. The sentiments of Cicero towards him at this time are not very clearly to be ascertained; his correspondence with Atticus, for so considerable a portion of his life the surest guide to his real thoughts and feelings, having now forsaken the historian*. There is extant, however, a letter, although of doubtful authenticity†, addressed to Atticus by Marcus Brutus, which makes* severe mention of the forwardness of their mutual friend in decreeing fresh honours to Octavius, as well as one to Cicero himself, censuring him, in no gentle terms, for a request preferred to the same indi-

* The last letter to Atticus is found in the received chronological arrangement before *Ad Diversos*, xi. 5. If this be its true place, it was probably written some time in the month of November, in the consulate of Antony and Dolabella (710), certainly before the 20th day of December in the same year.—See *Ad Diversos*, xi. 6.

† As the credit long given to the whole series of epistles between Cicero and Marcus Brutus has been in more recent times, to a considerable extent, shaken by a number of able critics, some apology may be thought necessary for the citation of any part of their contents. Yet, it will be remembered, that although attacked by Tunstal and the English scholars of his party, and considered as spurious by Schütz and Orello, they have been readily admitted as genuine by Ernesti, and are once more to be found in their place in the beautiful edition of Cicero edited by Lemairo. The testimony of Gesner, although apparently only based on the defence of these letters by Dr. Middleton, is also decidedly in their favour:—"De epistolis ad Brutum longior fabula, disputatio impeditior est, a me quidem non ita excussa et exquisita, ut abscisso pronuntiare audeam, nisi quod sufficere mihi hactenus videbatur Middletoniana defensio, ut novâ operâ ne valde quidem opus sit."

vidual respecting the safety of the writer, in which the free spirit of the indignant patriot breathes from every sentence:—"Reconsider your own words," he indignantly remonstrates, "and dare, if you can, deny that they are precisely those of one completely subservient to the will of a despotic master. You write to Octavius, that there is one thing which is expected and demanded of him, namely, that it may be his pleasure, that those whom all good men as well as the Roman people hold in the highest estimation may continue in safety. What, if it is not? Shall we be the less safe on that account? If so, far better were peril, than safety from such a source. I, however, cannot bring myself to think that the gods are so far averse to the well-being of the people of Rome, as to render it necessary that Octavius should be entreated for the safety of a single citizen, far less for that of the liberators of the whole earth; for I take pleasure, as well I may, in speaking thus proudly of myself to one, who seems to be ignorant both of what he ought to fear for his friends, and whom he ought to petition for favours. Can you, Cicero, acknowledge that Octavius possesses so extensive a power, and remain his friend? or, if I am still dear to you, can you wish me to appear at Rome, when, in order to remain there, I must first be recommended to the favour of a boy? What reason is there for your bestowing thanks upon him, if he is still to be entreated for our safety? Or is this to be accounted a benefit, that he prefers your supplications to be addressed to himself rather than to Antony? To one exacting vengeance for despotic power as exercised by another, and not himself a successor to the same despotism, who would ever think of preferring the request, that he would assent to the preservation of the benefactors of the republic*?"

* Ad Brut. Epist. xvi.

From these and similar passages, if they are to be considered genuine evidence, there seems too much reason to believe that Cicero was again falling into his old fault of flattering the powerful, and contributing to the presumptuous ambition of a youth in whom, by the exercise of his ordinary sagacity, he might have already discovered one to be guarded against by the friends to the constitution, with far greater precautions than those employed against Antony. It is probable, also, that he was in no slight degree led into subservience to the designs of Octavius by the title of "Father," at this time usually bestowed upon him by his pretended pupil in state affairs, as well as by a continued show of deference to his opinions. By some authors it is stated, that he was additionally amused by a project thrown out by Octavius of being united with himself in an application for the consulship, and that the success of the artifice was afterwards made a subject of boasting by its inventor. That his elevation a second time to the highest dignity of the state was confidently expected, and that the rumour was so general as to reach the provinces, appears from a letter of Marcus Brutus, congratulating himself upon the firm re-establishment of the republic as the natural consequence of such an event*. All participation in the design of raising Octavius to the same honour, however, Cicero, or perhaps his imitator, in return explicitly denies; asserting, that he had not only strenuously advised the abandonment of so extraordinary and dangerous an application in his private letters, but openly and vehemently denounced it in the senate, where the palpable ambition which had prompted the attempt was so justly appreciated, that not a single magistrate, tribune, or private member of the assembly, could be found to make the

* Ad Brut. Epist. iv.

necessary motion for bringing it formally under consideration*.

In the mean time, Antony, closely followed by Decimus Brutus, (who, although in consequence of the accession of the new levies lately serving under Pansa he was now at the head of seven legions, still considered himself too weak to hazard a general engagement with the veterans of his antagonist and those of Ventidius united,) was continuing his memorable retreat across the Alps, in order to place his forces in communication with those of Lepidus. During this hazardous and all but desperate march, miseries the most appalling were endured both by himself and his army, with astonishing intrepidity and unwavering constancy. The only provision yielded by the less wild and barren defiles which they threaded, consisting of unpalatable herbs and roots, was eagerly devoured; and when this wretched means of sustenance had failed, the troops were compelled to allay their hunger with the pounded bark of trees, and the flesh of whatever creatures chance had thrown in their way, however disgusting to the sight†. After suffering, however, all the extremi-

Ad Brut. Epist. x.

† Plutarch, in Anton.—See, also, the powerful description of Shakspeare, *Antony and Cleopatra*, act i. sc. iv.

Antony,

Leave thy lascivious wassels. When thou once
Wast beaten from Modena, where thou slew'st
Hirtius and Pansa, consuls, at thy heel
Did Famine follow; whom thou fought'st against,
Though daintily brought up, with patience more
Than savages could suffer——

—— Thy palate then did deign

The roughest berry on the rudest hedge;
Yea, like a stag, when snow the pasture sheets,
The bark of trees thou browsed'st; on the Alps,
It is reported, thou didst eat strange flesh,
Which some did die to look on. And all this

ties of cold and famine, they at length arrived, by a toilsome and painful descent into Gaul, at Forum Julii, on the 15th of May, where their fortitude was rewarded with abundance and comfort, in quarters established near the entrenchments of Lepidus, from which they were only separated by the little river Argenteus. While Antony was yet moving towards him from Italy, Plancus, excited by the earnest exhortations of Cicero to destroy him in his present condition of weakness and destitution, had advanced his legions towards the Isara, for the purpose of acting in conjunction with Decimus Brutus immediately after the arrival of the latter in Gaul. Being, however, summoned by Lepidus to join him, he had abandoned his first plan, and hastening to the support of that general, was now directing his march towards Forum Voconii, having first thrown a fortified bridge over the Isara to afford a free passage to Brutus. In this state of affairs, Lepidus, whether with the intention of amusing the senate as long as possible, or really desirous, up to the present moment, of supporting their cause, wrote to Cicero as follows:—

“ MARCUS LEPIDUS, IMPERATOR, AND PONTIFEX MAXIMUS, WISHES PUBLIC PROSPERITY TO MARCUS TULLIUS CICERO.

“ Having received intelligence that Antony, after having sent forward Lucius Antonius with a party of his cavalry, was approaching my province with his forces, I decided upon moving my army from the confluence of the Rhone and Arar, with the determination of preventing them. I therefore advanced, by marches continued without interruption, to Forum Voconii, and have encamped beyond the town, on the banks

(It wounds thine honour, that I speak it now,)
Was borne so like a soldier, that thy check
So much as lank'd not.

of the Argenteus, exactly opposite the lines of Antony. Publius Ventidius, with his three legions, has joined him, and established his camp somewhat higher up the river than mine. Antony had before this under his command the whole of the second, and a multitude of soldiers from other legions, although without their arms. His cavalry is considerable, since this part of his force escaped unbroken from the field.

“Several both of his horse and foot have already come over to our camp, and his strength is diminishing daily. Silanus and Calleo have deserted from him. Although highly offended at their having joined him contrary to my desire, I have, in order to maintain my character for clemency, and in consideration of our intimate acquaintance, inflicted no punishment upon them. I do not, however, suffer them to be in my camp, or to take upon them any command.

“As to the present war, I shall neither be wanting in my duty to the senate nor to the republic, and I will take care to make you acquainted with all my future proceedings. Although we have hitherto been rivals in our attempts to confer benefits upon each other, I doubt not that in so extensive and unexpected a commotion of the state, some accusations unworthy of my character have been brought against me by my calumniators in your hearing, which, from your zeal for the interests of the republic, may have made an unfavourable impression upon your mind. I am informed, however, by my agents, that you have received all intelligence of this kind with little appearance of being moved by it, and that you have shown a disposition not to give credence rashly to any such reports. This conduct of yours has justly given me the highest gratification. I have not, at the same time, forgotten those former exertions on your part, the results of your friendship, to increase my

public honours, of which the recollection will ever remain engraven on my heart.

"I earnestly entreat you, my dear Cicero, if you have hitherto considered my conduct and exertions in my public employments such as not to disgrace my name, to expect from me a similar, or even more devoted course of action for the time to come; and to believe, that in proportion to the benefits you have already conferred upon me, are your inducements now to defend me with all your authority and influence. Farewell*.

"From my Camp at Pons Argenteus."

This letter was dated on the twenty-second day of May. On the twenty-ninth of the same month, the soldiers of Lepidus were included in a common camp with those of the enemy of the senate. Antony, after he had carefully sounded the inclinations of the army stationed opposite to him, by means of his emissaries, and received in return the information that he had only to present himself in person to receive its submission, on making his appearance before the lines in a mourning habit, and with all the external signs of deep distress, was hailed with clamorous enthusiasm by the crowds who collected upon the ramparts to listen to his harangue. Encouraged by a reception so confirmatory of what he had previously heard, he ventured on the following morning to cross the river at the head of his forces, and was without further delay admitted into their camp by those of Lepidus, who levelled a great part of its defences to give him a readier entrance. It is uncertain to what extent the general of the revolting army was concerned in its defection. Plutarch affirms † that he had on the day preceding put a stop to the speech of Antony, by ordering all his trumpets to sound; and Plancus relates, in his letter

* Ad Divicior, x. 34.

† Plutarch. in Anton.

to Cicero *, giving an account of the transaction, that while addressing his soldiers from his tribunal, in order to exhort them to continue in their allegiance, he was interrupted by repeated shouts, to the effect that they were determined to hazard their lives no longer in defence of either of the parties between which the state was divided—that the loss of two consuls and an immense multitude of Romans, with the condemnation as public enemies, and confiscation of the goods of others, was an ample sacrifice to the unnatural contest in which they were attempted to be involved—that they had, therefore, resolved upon an immediate and lasting peace, and intended, so far as their own neutrality could conduce to so desirable a result, to ensure it. But the same correspondent intimates, that this circumstance was far from exculpating their leader from the guilt of deliberate treason, since from the first appearance of the mutiny he had taken no steps to prevent it, and positively countermanded his former directions to Plancus to effect an immediate junction with his legions. Lepidus, however, whose estates were yet at the mercy of the senate, imagining that it would be most to his interest to induce them to believe, as long as possible, that his recent conduct had been the effect of compulsion, forwarded the following despatch in his own vindication :—

“ MARCUS LEPIDUS IMPERATOR, AND PONTIFEX MAXIMUS, WISHES HEALTH TO THE SENATE, ROMAN PEOPLE, AND COMMONS.

“ I call gods and men, Conscript Fathers, to bear witness to the sincere and constant affection I have always entertained towards the republic, and to my preference of the common safety and freedom, to every other consideration. Of this I should have

* Ad Diversos, x. 21.

had, in a short time, an opportunity of convincing you, had not fortune wrested from me the means of executing my designs. For my whole army have acted in accordance with their usual sentiments with respect to the preservation of their fellow-countrymen, having manifested their inclinations by a general mutiny, and compelled me, to speak the truth, to undertake to maintain the safety of this great body of Roman citizens. Upon this question I entreat and conjure you, Conscript Fathers, to lay aside all private resentments, and to consult the general welfare; nor to consider the present instance of compassion, shown amidst civil commotions by myself and my forces, in the light of a crime. If, moreover, you should be induced to act in such a manner, as to show your regard for the security and dignity of all parties, you will take the most prudent course, both for the advancement of your own interests, and those of the state. Given from my camp at Pons Argenteus, May 30th *."

Lepidus, notwithstanding his attempt to soften the displeasure of the party he had now openly forsaken, was declared a public enemy, at an assembly of the senate held on the 30th day of June. His estates were, at the same time, ordered to be confiscated, and the gilded statue, lately erected to his honour, to be ignominiously demolished; although the opportunity of returning to their allegiance, under the shelter of a free pardon, was yet offered to himself and his adherents, until the first day of the following September. In their prompt and vigorous decree against him, the senate were encouraged by the appearance of unshaken fidelity still maintained by Plancus. This officer, after sending immediate information of the defection of Lepidus, had promptly fallen back across the Isara, and having broken down the bridge

* Ad Diversos, x. 35.

which he had lately thrown over the river, had succeeded in effecting a junction with the legions of Decimus Brutus *, which were by this time concentrated after their arrival in Gaul. Thus posted, he still promised, with the aid of the imposing reinforcements he had just received and the strong natural means of defence in his front, to give Antony and his colleague ample employment, until the army of Octavius, the march of which he pressed by earnest and repeated letters, should come up to his assistance †. Alarmed at the recent change of affairs, Cicero, who still continued to keep his post without shrinking at the helm of state, now redoubled, on his part, the requests he had recently begun to prefer to Brutus and Cassius, to transport their troops into Italy, in order to counterbalance the increasing strength of the party disaffected to the republic ‡. It may be doubted, whether either of these generals possessed the power of complying with the demand; but no question can exist as to the soundness of the policy by which it was dictated.

Although the senate, fully sensible of their former error in policy, had endeavoured to pacify the selfish pride of Octavius, by assigning him the commission of defending the frontiers of Italy against Antony and Lepidus, the concession was made too late to obviate the effect of their former decree in favour of Decimus Brutus. So far from being disposed to

* Ad Diversos, xi. 15.

† Veniat Cæsar cum copiis quas habet firmissimas, &c. (Ad Diversos, x. 23.) Nihil destiti eum (sc. Cæsarem) literis hortari, neque ille intermisit affirmare se sine morâ venturum.—Ad Divers. x. 24.

‡ Itaque optamus ut quam primum te in Italiâ videamus. Reipublicam nos habere arbitramur si vos habebimus. (Ad Diversos, xii. 10.—to Caius Cassius). Persuade tibi igitur in te et in Bruto tuo esse omnia; vos expectari; Brutum quidem jam jamque.—Ibid.

prevent the approach of any force acting against them, he was at this time in actual correspondence with their enemies. His alienation from Cicero he did not scruple openly to confess, assigning as the reason that the latter had often contemptuously termed him a boy, and asserted that the policy of the senate towards him should be to flatter, to elevate, and, finally, to destroy him *. Information of this was conveyed to Cicero, by way of warning, in a letter from Decimus Brutus, who added that he was indebted for his knowledge of the fact to Labeo Segulius, who had just reached him, after an interview with Caesar; and whom he strongly suspected of having himself played the part of informant, with respect to the obnoxious words which were the subject of complaint. Cicero was, in the same epistle, cautioned against the resentment of the veterans, who were described as strongly exasperated at his conduct. "May the gods confound that Segulius," writes the orator in reply, "the greatest of villains, past, present, or to come. Do you suppose he has communicated this calumny to you, or to Caesar alone? There is not a being with whom he has any intercourse, who has not heard the very same words from his lips. I, however, esteem you, my dear Brutus, as I ought, for acquainting me with the circumstance, frivolous and contemptible as it is. As to Segulius, I am well content to allow him to propagate his slanders unheeded, since all he seeks by it is to repair his ruined fortunes." The intelligence respecting his unpopularity among the veterans, which had arisen from the absence of the names of Octavius and Brutus in a commission for dividing certain lands among them, he treats in a style of similar indifference †.

* *Laudandum juvenem, ornandum, tollendum.*—*Ad Divers.* xi. 20.

† *Ad Diversos*, xi. 21.

These ready instruments of a crafty leader, however, encouraged by the secret instructions of their commander, began every day to assume a more imperious bearing, and to exercise a greater influence in the management of the state. After numerous messages between the senate and the army upon the frontier, on the subject of their claims to past arrears, in which threatening on the one side, and bribery on the other, had been extensively tried without effect, a deputation, consisting of forty centurions and two hundred private soldiers, appeared at Rome from the camp, to demand, as the readiest method of composing all differences, the honour of the consulship for Octavius. The senate, with whom they were admitted to repeated interviews, and who had yet enough of the old Roman spirit remaining among them to feel in the highest degree indignant at this insolent demand, attempted to gain time by the proposed expedient of immediately sending a deputation of their own, ostensibly for the purpose of settling part of the claims of the soldiery upon the state, but with the real intention of inducing them, by liberal promises, to desert their present general. The rude veterans, however, easily saw through the project, and resented it accordingly. One of them is said to have answered the proposition of the assembly by significantly pointing to the hilt of his dagger; and another to have exclaimed, while resuming his sword at the door of the house,—“If you do not think fit to confer the consulate upon Octavius, this shall.” “Nay,” exclaimed Cicero, who was present, and listened to the threat, “if this is the style of your entreaty, you cannot fail of being heard.*” The subject, however, was speedily found to afford little room for jesting. Octavius, on receiving information of the hesitation of the senate in deciding with

* Dio Cassius, xlv.

respect to his claim, at once raising his camp, began to advance upon the capital, and meeting on his road the commissioners sent to treat with his army, took no other notice of them than to command them on their peril not to impede his march. A slight hope of resistance was for a short time afforded to the republicans in Rome by the arrival of two legions from foreign service in Africa ; but these also being seized with the general contagion, it was determined to endeavour to deprecate the resentment of Cæsar, by yielding to him the honour which he demanded. He was therefore elected consul immediately after his arrival in the city, in conjunction with Quintus Pedius, and without the least mention having been made of Cicero ; who is said to have requested an interview with him, and to have received the reproach that he was full late in the offer of his services*. The new magistrate was then solemnly adopted in the usual form into the family of the Cæsars, and soon afterwards again set out for Gaul ; but not until he had given a manifest indication of the line of policy he was about to adopt, by procuring a repeal of the decree recently passed against Dolabella, and instigating his colleague Pedius to propose the law afterwards known by his name, ordaining that immediate inquiry should be made into the death of Julius Cæsar, and his assassins formally brought to trial. In the proceedings instituted by virtue of this statute, Brutus and Cassius, with a number of their confederates, were publicly cited, and, in default of their appearance to the summons, condemned by a majority of their judges.

These were severe blows to the party of the republic ; but still more disastrous events were to follow. In Italy and the western provinces, their cause, already shaken by the defection of Lepidus, now

* Appian. *De Bellis Civil.* iv.

went rapidly to ruin. In Transalpine Gaul, Plan-
cus, although he had a short time before assured
Cicero of his resolve to submit to any extremity, and
even to encounter death itself, rather than abandon
the principles for which he was contending*, was
induced to listen to the overtures of Antony and
Lepidus, and finally to join them with his whole
army. The desertion of Asinius Pollio in Spain
followed, by which three legions more were lost to
the service of the senate. Decimus Brutus, being
thus left to cope single-handed with immensely
superior numbers, was speedily obliged to quit the
field, and to set out for Illyrieum, with the inten-
tion of adding his force, consisting of ten nominal
legions, to that of Marcus Brutus. But almost the
whole of his army,—six legions of which consisted of
raw levies, totally unacquainted with severe service,—
having melted away from his standard, he was at
length compelled to disband the few who remained,
and to retire in disguise to Aquileia, where, having
been taken prisoner by a predatory tribe of Gauls,
by whose chief his person was recognised, he was
soon afterwards put to death, in consequence of
orders received from the head-quarters of Antony†.

Such was the first scene in the terrible drama of
retaliation now about to be exhibited. The armies
of Octavius, Lepidus, and Antony, were soon after,
as a conclusion to the negotiations which had been
long secretly carried on between the three generals,
concentrated once more in the neighbourhood of
Mutina; the passes of the Alps having been left
freely open by Octavius for the descent of his recent
adversaries to the conference which they had pro-
posed, preliminaries to which were speedily and

* *Nec depugnare si occasio tulerit, nec obedi si necesse
fuerit, nec mori si casus inciderit, pro vobis paratior fuit quisquam.*
—Ad Diverson, x. 21.

† Appian. De Bellis Civil. iv. ; Dio Cassius, xlv.

easily adjusted. The place of meeting was a small island in the middle of the river Rhene, upon either shore of which five legions were drawn up in order of battle, each detachment guarding the access to a bridge communicating with the island from its own side of the stream. Lepidus was the first who crossed over ; and having ascertained that no ambush had been laid either by Antony or Octavius against the life of his rival, gave notice to the two leaders that they might approach the spot with safety*. The feeling of suspicion was nevertheless so strongly impressed upon all parties, that their first action upon meeting was to search each other's persons for concealed weapons. Their deliberations were then, without farther delay, directed to the formation of the celebrated league, known as the SECOND TRIUMVIRATE, by which the whole power of nominating magistrates, conferring honours, and assigning provinces, was quietly assumed as the first step to the military despotism they were on the point of establishing. The government of Spain, with the consulship during the ensuing year, was then surrendered to Lepidus ; that of the Gauls appointed to Antony ; and Africa, with the islands of Sicily and Sardinia, appointed, as his share of the spoil, to Octavius. The war with Brutus and Cassius next came under consideration ; and it was resolved that Octavius and Antony should be jointly entrusted with the command against them, while Lepidus should be invested with the government of the city during the absence of his colleagues. The announcement of these several arrangements was received with loud applause by the troops who lined the banks of the river ; and to whom it was farther communicated, that a dismissal from service and large distributions of land should constitute their certain recompense at the conclusion of the war. After this opening business of the confederacy, in

* Appian. De Bellis Civil. iv.

which the marriage of Octavius with the daughter of Fulvia also formed an article, as an additional means of conducing to a union of interests, the more terrible subject of deliberation which has rendered this diabolical council a subject of execration in all ages was brought under notice ; and in the space of three days, the vindictive recollection of the triumvirs had supplied a list of no less than three hundred senators, and two thousand of the equestrian order, with numbers of inferior rank, as the first victims to the proscription which they intended to set on foot immediately on their arrival in Rome. In the selection of these, considerable differences at first arose. Cicero, whom the eager hatred of Antony had at once destined to the sword of his followers, was protected, according to tradition, for two days by the reluctance of Octavius to consign him to destruction ; which was only overcome by the offer of Antony to barter the blood of his own uncle Lucius, an object of especial enmity to the youthful murderer, for that of the great orator by whom his character had been so effectually consigned to undying infamy. Lepidus, at the same time, consented, for the gratification of both, that his brother Lucius Paulus should be placed among the ranks of those doomed to indiscriminate slaughter. The whole of this inhuman plan it was not deemed advisable at first openly to publish. Yet, in their impatient thirst for bloodshed, the triumvirs could not refrain from selecting seventeen individuals as immediate sacrifices to their resentment, and sending forward their most trusty emissaries to commence the massacre by their deaths. Having then ratified their union by the most solemn oaths, the generals separated ; and placing themselves at the head of their respective armies, commenced their ominous march towards Rome.

The arrival of the murderers commissioned to seek out the first objects of destruction, and the immediate assassination of four among the number, threw the whole city into a frightful state of apprehension and dismay; the greater part of its inhabitants knowing neither the extent of the intended vengeance, nor the class of persons upon whom it was chiefly destined to fall. In the desperation occasioned by the consciousness of their conduct having been such as to make them marked subjects of the dislike or suspicion of the triumvirate, several among the republicans endeavoured to defend themselves by the wild expedient of firing the city; and it was with the utmost difficulty that the consul Peditus, who was present in all quarters successively during this night of terrible confusion, succeeded in preventing a general conflagration. In order to pacify the fears of several of those whose terror had nearly been productive of such disastrous consequences to their fellow-citizens, he, on the ensuing morning, published the seventeen names he had received from the triumvirs, with the open assurance that nothing was to be dreaded by any not comprised in this first revealed evidence of the ferocious intentions of the victorious leaders. Peditus did not live to see the declaration, which he perhaps believed to be correct, verified; his own death taking place before sunset on the same day, in consequence, as it was generally supposed, of the effect produced by the exertions and alarm of the preceding night upon a constitution already probably impaired by age or previous disease. The hopes inspired by his assertion of the limited character of the vengeance of Antony and his colleagues were soon frustrated by the arrival of the triumvirs, who having gloomily entered Rome in succession, and crowded all the public edifices with the arms and standards of their soldiers, lost no time

in exposing to general view, with a preamble full of moderation, and excuses under the plea of urgent necessity, the long catalogue of the condemned, which they had conjointly made out upon the banks of the Rhene*, in which melancholy list the names of Marcus Cicero, his son, brother, and nephew, stood foremost. The scenes which ensued have been depicted with frightful fidelity by the pen of Appian. Of all the situations of terror to which human beings could be exposed, none, in the amount of suffering inflicted, could possibly exceed this, in which a man's own dependants and household were armed against him by the hope of enormous rewards†, and the dearest objects of his affection viewed, in consequence of the natural instinct of self-preservation, with a distrust which, to the disgrace of human nature, proved too often well founded. Masters were seen prostrate at the feet of their slaves, on whose slightest word their lives now depended, entreating compassion and connivance at their escape, but uncomfited by any assurances, which, to be efficacious, required an incorruptible fidelity on the part of multitudes. In every part of Italy exiles of the highest rank were flying, in mean disguises, to what they imagined the most obscure places of concealment, from which numbers were every day dragged, and brutally massacred, often before the eyes of their families who had accompanied them in their retreat. All the appalling pictures, in short, of horror, anguish, despair, and unrelenting cruelty, which had distin-

* The first part of the Bill of Proscription is given at length by Appian, *De Bellis Civ.* iv.

† Twenty-five thousand Attic drachmas were promised for the head of any person proscribed, if the assassin was a freeman, ten thousand drachmas and liberty, if a slave. The Attic drachma nearly corresponds in value with the Latin denarius, which word it is frequently used to translate by the Greek historians, being worth about 8½d.

guished former proscriptions, were again exhibited in this, with the addition of new circumstances of terror, in consequence of the enlarged scale on which the murders authorised by it were carried on ; while, like those by which it had been preceded, it was, at the same time, not unrelieved by instances of the most heroic fidelity and devotion.

Cicero and his brother Quintus are recorded to have been at the Tusculan villa of the former, when information was brought of the late proceedings of the triumvirate, and of the imminent peril to which the lives of both were exposed. Their first resolution was to take flight immediately to Astura, where they expected to find a vessel in which they might be conveyed to Epirus, and placed under protection of the army of Marcus Brutus. They accordingly set out on their mournful journey, the last look of the orator being now cast upon that delightful retreat, adorned by the profuse beauties of nature, and rich with the divinè treasures of art, in which, encompassed by all the external circumstances which could render existence desirable, he had spent so many days of tranquil converse with friends worthy of his intimacy—so many nights devoted to the seductive speculations of his beloved philosophy. The brothers, as we are told by Plutarch, were conveyed in separate litters, and had frequent conferences on the way, the result of which was a determination on the part of Quintus, who was wholly unprovided with the necessary funds for his voyage, and found Cicero himself equally destitute, to return towards Rome, and endeavour to procure a sufficient sum to defray the expenses of his passage to Greece. He therefore ordered his attendants to turn back, after a parting with his brother replete with anguish to both, in consequence of a presentiment, amply justified by present circumstances, that they were never destined to meet again.

A few days afterwards, the house in which Quintus had taken refuge, and where he had been joined by his son, was surrounded by the relentless instruments of the triumvirate. The young man was instantly seized, but the place of his father's concealment long escaped the most diligent search of the assassins. They therefore proposed putting their captive to "the question," in order to extort from him the requisite information. But in the closing scene of his life the younger Quintus displayed a constancy and affection which could not altogether have been expected from the character drawn of him in the letters of his uncle. Amidst the agony of the severest tortures which the ingenuity of his captors could devise, he persisted with undiminished resolution in refusing to reveal the secret upon which the life of his parent depended, until the latter, who was within hearing of the groans of the sufferer, being unable any longer to endure the trial to which his feelings were subjected, suddenly rushed from his concealment, and presented himself before the executioners.* A fresh contest of affection then arose between the father and son, as to which should be spared the additional pang inflicted by the sight of the death of the other, and this dispute continued until cut short by the soldiery, who, impatient for the expected reward, consented to behead them apart and at the same moment. Thus perished Quintus Cicero, an individual of no inconsiderable repute in the literary history of his times, and whose extant treatise "Respecting the Canvass for the Consulate," shows him to have been far from disgracing the name he bore by any deficiency in intellectual attainments, but whose principal fame is derived from the lustre shed upon his memory through the medium of the immortal works of his brother.

In the mean time Marcus Cicero had been conveyed by his attendants to Astura, where, finding a

* Dio Cassius, xlvii.

ship ready to set sail, and receiving no tidings of Quintus, he at length embarked, and coasted along the Latian shore with a favourable wind as far as Circæum. At this place, although the mariners professed their willingness to stand out to sea immediately, a step which in all probability would have saved his life, he resolved to land, and, his request to that effect having been complied with, was conveyed some distance in the direction of Rome. By whatever cause this change of resolution was produced, whether by his distaste for navigation, or some faint hope of being yet protected by Cæsar, it was quickly changed for the feeling of despair which, during this brief journey, seems to have sunk with permanent and settled darkness upon his mind. After proceeding about a hundred furlongs, therefore, he desired his servants to return towards Circæum, where he passed a dreadful night of misery and distraction; revolving, among other frenzied resolutions of revenge against the false friend by whom he had been deceived and betrayed, a plan of again setting out for Rome and stabbing himself upon the hearth of Octavius, and in the presence of his household gods, with the view of bringing down an awful and certain retribution upon the head of the cold-hearted assenter to his murder. As day dawned, on the morning following this feverish interval of mental agony, he desired the crew of the vessel which had borne him to Circæum to make for Caieta, and set him on shore near his villas situated upon the coast. Such a step amounted to little less than virtual suicide; since, on the first intimation of his proscription, numbers of eager expectants of the rich reward promised by Antony for his head had started from Rome to beset his best known places of resort, and the winding shores of Baiæ, as well as the vine-covered hills of Formiæ, were already echoing to the trumpets of the soldiery of the triumvirate, in keen

quest of the valuable prize which might be concealed in the neighbourhood. A short sail brought him to his place of destination, from which, according both to Appian* and to Plutarch, whose superstitious credulity at least generally shows itself in such a manner as greatly to heighten the effect of his picturesque narrations, he was warned by a singular omen. The story is of so marvellous a character as to render it the more prudent course to allow the biographer to tell it in his own words. "There was a temple of Apollo," he relates, "on that coast, from which a flight of crows came with great noise towards Cicero's vessel as it was making land. They perched on both sides the sailyard, where some sat croaking and others pecking the ends of the ropes. All looked upon this as an ill omen, yet Cicero went on shore, and, entering his house, sat down to repose himself. In the mean time a number of the crows settled in the chamber window, and croaked in the most doleful manner. One of them even entered in, and alighting on his bed, attempted with its beak to draw off the clothes with which he had covered his face. On sight of this, the servants began to reproach themselves. Shall we, said they, remain to be spectators of our master's murder? Shall we not protect him, so innocent, and so great a sufferer as he is, when the brute creatures give him marks of care and attention? Then, partly by entreaty, and partly by force, they got him into his litter and carried him towards the sea †."

Thus far Plutarch. Without soliciting credence, however, for any of the supernatural features of his narration, there does not appear any reason for distrusting the account given of the remaining part of the tragedy by the same narrator; in which he is

* De Bellis Civil. iv.

† Plutarch's Life of Cicero, Langhorne's translation.

more or less corroborated by the testimony of other writers. The servants of Cicero, whose real ground of alarm was, no doubt, the intelligence of the vicinity of a party of the military, had no sooner quitted it, making their way in all haste to the sea-shore, when the agents of Antony arrived, headed by Herennius, a centurion, and the tribune Popilius Lænas, whom Cicero is related to have formerly defended from a charge of parricide; and bursting open the doors of the house which had been barricaded against them, to the best of their ability, by the domestics within, imperiously demanded in what direction the fugitives had retreated. The necessary information having been procured from a slave named Philologus, if Plutarch is correct, or if Appian is in preference to be believed, from a former retainer of Clodius, who now gratified a long cherished hatred towards the orator by eagerly pointing out the path by which he had been conveyed from the villa, they lost not a moment in commencing the pursuit, and were not long in discovering the retinue of their victim; who were at the time passing down a retired avenue which led through a close and tangled wood to the beach. The approach of the assassins was not unnoticed by Cicero, who, commanding his servants to set down his litter, and to refrain from the useless resistance which they seemed inclined to offer, prepared with firmness and dignity to meet the fate which he plainly perceived to be unavoidable. When Popilius and his band approached the spot, he regarded them for some time with a fixed and melancholy look, placing his left hand upon his chin, his usual attitude when engaged in deep thought. His features, haggard with care and anxiety, his disordered hair and dress, united with the patient fortitude with which he appeared ready to encounter the death they were commissioned to inflict, and, probably, the contrast which his present appearance presented to the circumstances

of outward pomp and splendour under which they had last beheld him, produced at the moment so powerful a feeling of commiseration among his assassins, as to induce them to turn aside their faces, while Popilius, the only one unmoved among the company, after Cicero had calmly stretched forth his head and neck from the litter and commanded him to perform his office, unrelentingly inflicted the fatal stroke*. His hands were then cut off by Herennius, and, together with his head, exultingly conveyed by the principal agent in his death to Antony, while his attendants interred his body in a grave hastily dug upon the spot†. Popilius, on reaching Rome, found

* Appian, as a circumstance of additional horror, in his narrative of the transaction asserts that his head was rather *sawn* than struck off, by the unskilfulness of the executioner:—"τῆς ἐπιπλήσων καὶ ἐκδιαπρίζων ὀνδ ἀπειρίας."—*De Bellis Civilibus*, iii.

† The following remarks are made by Eustace with respect to the tomb still indicated by tradition as that of Cicero, and on the supposed scene of his death:—

"But neither the mausoleum of Plancus, nor the towers of Caieta, neither the wondrous tales of Homer, nor the majestic verses of Virgil, shed so much glory and interest on these coasts as the Formian villa and tomb of Cicero. That Cicero had a villa here, and that it lay about a mile from the shore, history informs us, and at that very distance on the left of the road, the attentive traveller will observe the remains of ancient walls, scattered over the fields and half covered with vines, olives, and hedges. These shapeless heaps tradition points out as the ruins of Cicero's Formian villa. Again, history assures us that he was overtaken and beheaded in the walks of a grove that lay between his villa and the sea. On the opposite side of the road, rises, stripped of its decorations, and indeed of its very shape, a sort of obelisk in two stories, and this disfigured pile the same tradition reveres as his mausoleum, raised on the very spot where he was butchered, and where his faithful attendants immediately interred his headless trunk. Lower down and nearer the sea, or rather hanging over its waves, are several vaults and galleries, which are supposed to have been part of the Villa Inferior, as that which I have described above was called Villa Superior. It is a pity that excavations are not made, (and with what success might they not be made all along this interesting coast!) to give curiosity some chance of acquiring greater evidence. Of the fate

Antony seated in state upon the tribunal in the Forum, and being unable to approach him, in consequence of the dense multitude by which he was surrounded, intimated the performance of his mission by shaking aloft the gory relics of which he was the bearer, in full view of his employer; who is said to have received them with inhuman satisfaction, and, after rewarding Popilius with an honorary crown, in addition to an almost incredibly extravagant sum in money, to have ordered them to be conveyed to his house, where he further feasted his long-cherished hatred, by contemplating them at his leisure while reclining amidst his friends at his table. They were afterwards carried to Fulvia, and that monstrous anomaly in the history of her sex,

of Cicero's remains we know nothing, as history is silent with regard to his obsequies and sepulture. It does not seem probable that during Antony's life the most zealous friend would have dared to erect a monument to the memory of his most active and deadly enemy, and after that triumvir's death, Augustus seems to have concealed his sentiments, if favourable to Cicero, with so much care and success, that his very nephews did not venture to read that illustrious Roman's works in his presence. Before the death of Augustus the personal and affectionate interest inspired by affinity or friendship had probably subsided, and few survived the emperor who could possibly have enjoyed the happiness of an intimate and familiar acquaintance with Cicero; fewer still could have had any particular and urgent motive to step forward from the crowd and pay the long neglected honours to his memory. But notwithstanding these reasons, and the silence of history upon the subject, yet, as his son escaped the proscription, and, when the rage of civil war had given way to the tranquil domination of Augustus, was restored to his country and to his rank, it is possible he may have raised a monument to the memory of a father so affectionate to him and so illustrious in the eyes of the public. As long, therefore, as popular belief or tradition, however uncertain, attaches the name of Cicero to these ruins, and as long as ever credulity can believe that the one has been his residence and the other his tomb, so long will every traveller who values liberty and reveres genius, visit them with interest and hang over them, though nearly reduced to a heap of rubbish, with delight."—*Classical Tour*, ii. 28.

with a vindictive malice unsatisfied by the death of the illustrious statesman in whom both her former and present husband had found so inflexible an opponent, is recorded, after having forced open the lifeless jaws, to have drawn forth and repeatedly pierced the tongue with a bodkin which she took from her hair, accompanying the action with bitter and unseemly insults and reproaches*. The mangled remains of the orator were then returned to Antony, who commanded them to be exposed upon the rostra, from which his eloquence had so often delighted the gathered population of Rome, beside a statue of Popilius, surmounted with an inscription in which the murderer boldly avowed his late deed, and boasted of its perpetration†. According to the best authority, that of his freedman Tiro, the death of Cicero took place on the seventh of the ides of December‡; when he wanted, by the computation of the Roman calendar, but twenty-seven days of completing his sixty-fourth year. He left but a single representative of his name, his son Marcus; who was afterwards so much in favour with Augustus Cæsar, as to be associated with him in the consulship. At a later period, and when the reminiscences of the campaign of Actium had supervened to modify his former opinion of the Philippics, that emperor is said to have done justice to the patriot whom, in his youth, he had abandoned to the vengeance of Antony; since, on a certain occasion, finding one of his grandsons reading a treatise of Cicero, which, on being discovered, he endeavoured to conceal under his gown, he returned it after he had taken it out of the hands of the youthful student, and perused almost the whole of it as he stood, with the observation, "My child, this was an eloquent man, and a true lover of his country §."

* Dio, xlvii.

† Ibid.

‡ December the 7th. See *Fasti Hellenici*.

§ Plutarch in Cic.

Such, in general terms, and in reference to his more public life, after all deductions have been made on the score of his weakness, his irresolution, and his occasional duplicity, is the character which must be assigned, upon an attentive study of his conduct, to this distinguished individual; whose name is one of the household words of history, and whose genius, notwithstanding the vast change which has passed over literature since the period in which he flourished, may be considered as naturalised in every part of the civilised earth. That he was from his earliest youth attached to what appeared to him the cause of freedom, and that his whole policy, when invested with the powers of office, tended to support it, admits of little doubt in the mind of any one acquainted with his eventful career. It was for this purpose that he endeavoured, during his consulate, to unite the senatorian and equestrian orders into a powerful barrier against the encroachments of the popular faction, in which with prophetic sagacity he saw, as the result of a natural reaction, the establishment of the monstrous despotism, in which the sun of the republic was destined to set. It was with this view also that, while almost the whole of his order were furiously rushing into a war with Cæsar, he protested, contrary to the opinion of the party with which he was united, against their disastrous resolution; justly apprehending the same fatal consequences to the republic, on the banners of whichever side Victory might ultimately alight. To what extent he was prepared on every occasion to sacrifice his safety, reputation, or property, in the support of his principles, is another question. Yet, the suppression of the conspiracy of Catiline was a task which required at least as much boldness and self-devotion as policy; and in his subsequent attempts to arrest the Cæsarian faction with their leader Antony, in which we find him organising and directing the whole resources of

the empire against the enemy of reviving liberty, a spirit of noble and heroic resolution blazes forth, which is worthy of comparison with the most striking instances of magnanimity recorded in the annals of Rome. In his policy at this crisis he was well aware that failure implied nothing less than total ruin and destruction to himself; yet we do not find that, in casting the die upon which his destiny depended, his hand for a moment trembled; or that, having once taken the step by which he was thoroughly aware that his life was staked in connexion with the independence of his country, he felt the least inclination to recal it, although he might, at times, have deeply desponded of its favourable issue.

The inordinate vanity, which formed the predominant defect in his disposition, may, undoubtedly, be considered as having been at times a serviceable ally, in enabling him to act with promptitude and firmness; when, but for this support, his patriotism would perhaps have been effectually disarmed by his constitutional timidity, and his constancy subdued into inaction by the voice of that self-preservation to which he was, for the most part, too much inclined to listen. While the eyes of his countrymen were fixed upon him, and their applauses ringing in his ears; while, as in the case of the revolution threatened by Catiline, he was called to the chief post of honour, as well as of peril; or as, when encountering a foe much more terrible than Catiline, he was acknowledged and flattered as the leading spirit of his party; entrusted to correspond with the leaders of armies stationed in the distant provinces, and addressed by them in return, as the principal representative of the insulted majesty of the constitution, his courage was found not unequal to the task, which his regard for the interests of his country might, in

the first instance, have induced him to undertake. In the prospect of a triumph he was not unwilling to expose himself to peril on the heights of Amanus, and, with the same glittering reward as a lure, he would probably have stood his ground against the shafts of the Parthians, had fortune thrown him in the way of their invading host. But when called upon to descend from this proud pre-eminence, and to exchange the character of a principal for that of an ally; when, as in the instance of the fierce struggle between Pompey and Cæsar for supremacy, he was able to add but little to the actual strength of either party, and was likely to be rewarded with applause in proportion; his inherent weakness, overcome for a short time by the powerful stimulant of received or expected approbation, again returned, and his conduct was marked by all the shades of vacillation and timidity—too often by those of their natural consequences, insincerity and actual deceit.

If we pursue the investigation of his character from public into private life, we shall find it—as, to a certain extent, those of the best, whose histories have been faithfully recorded, even while under the influence of holier inducements and the guidance of a diviner light,—a mixture of merits and defects;—a “mingled yarn” of various and contradictory hues. As a father, his conduct towards his children was unimpeachable; towards his dependants there is every reason for believing that his demeanour was distinguished for affability, kindness, and benevolence; the evidence in favour of his disinterestedness during his foreign magistracy is unexceptionable; but whether in his relations as a husband he was more deserving of blame or sympathy, cannot accurately be determined. In such differences as arose between himself and his brother, or nephew, he appears to have resembled the aggrieved far more than

the offending party. His friendship with Atticus was uninterrupted to the last; and his correspondence proves that he was on terms of familiar intimacy with the most esteemed and exalted of his own age. His ready patronage of genius has been commemorated by the grateful strains of Catullus; who may easily be imagined to have been by no means a solitary object of his generosity. His hospitality is also described as exercised upon the most liberal scale; and his doors are said to have been thrown freely open to men of letters, no distinction being made between foreigners and his own countrymen; so that his villas frequently resembled the schools of philosophy at Athens, from the number and celebrity of the guests by whom they were crowded. His propensity to flatter the powerful, his undisguised avidity for the applause of those about him, his disregard of truth to obtain it, with one or two instances of what strangely resembles actual dishonesty, which, though unnoticed by Middleton, have not escaped the glance of less prejudiced observers, must be mentioned as the principal defects in this otherwise not unfavourable picture.

With his excellences or his deficiencies, his virtues or failings, posterity would, at the present time, be little concerned, were it not in the exercise of that curiosity by which nothing connected with the career of genius is considered trivial or uninteresting. It is to his singular mental acquirements alone, that his name owes the proud distinction it has for ages obtained; and in consequence of which the minutest accidents in his life have been long considered fit subjects of the investigation of the most accomplished erudition. In pronouncing, however, upon the exact nature of his talents, an impartial judge would, no doubt, decide them to have been rather of the imitative than of the inventive cast; more capable of clothing the

thoughts of others in appropriate language, than of giving birth to fresh and original conceptions, by any innate powers of their own. In this respect, indeed, his philosophical works rather resemble a highly-cultivated and well-ordered garden, glowing with numberless exotics, and breathing the fragrance of distant lands, than the free and interminable expanse of hill and vale, replete with the untransferred munificence of nature, and giving testimony of its vigorous fertility by a produce of wild and luxurious growth. His imagination is not like that of Plato, struggling every moment with the self-imposed shackles of logical restraint, and eager to soar into the regions of the sublimest speculation, but at all times subservient to the rein of reason ; and his powers of ethical disquisition seem to turn more readily to the task of reducing to practice principles already recognised, than of searching in the dark recesses of moral truth for springs of action hitherto unknown, or of tracing to their origin those of uncertain nature or of latent source. Much of this may, indeed, be traced to the prevailing character which distinguished the literature common in his age. Almost all that human ingenuity could invent, in the way of hypothesis with respect to moral phenomena, had long been presented in the several schools devoted to their study ; and at this time the intellect of mankind seems to have been rather inclined to repose upon what had been already accomplished, than to enter upon any course of untried enquiry. Like all subjects, moreover, (with but a single reservation, standing in no need of being specified,) which have fixed in their turns the attention of the human mind, the beautiful science of ethics, so long predominant in the estimation of antiquity, had at this time begun to show symptoms of following the common law of mutability and decay. The light in which, during its increase,

the powers of Solon and Socrates had delighted to bask, was gleaming with a setting radiance; the groves of the Academy already displayed the "sere and yellow leaf;" and Philosophy, with much of the practical wisdom, had also assumed somewhat of the infirmities of age—its sobriety and cautiousness—its diminished energy—its less certain aspect, and irresolute step.

In passing from the more serious to the lighter productions of Cicero, and devoting our attention to his familiar correspondence, the singular versatility of his talents, and the extensive range of his acquirements, are no less easily discoverable. Learning, in its most graceful and least ceremonious guise—wit which sparkles with unwearied brilliancy—and an elegance of expression widely remote from the florid affectation prevalent at a later period, leave but little to be desired in these models, no less of the Latin tongue, than of the epistolary style in general. Viewed as transcripts of the writer's feelings and opinions, and as fixing and perpetuating many of those more minute shades of character*, which the historian is no more capable of exhibiting in his general narrative, than the artist of transferring to his canvass the flying lights and shadows which traverse the landscape he attempts to delineate, they can scarcely be too highly valued. As authentic

* Voltaire's opinion upon the letters of Cicero, is thus expressed:—"Il semble que pour bien juger les hommes publics, on pourrait s'en rapporter aux monumens secrets et non suspects qui restent d'eux, comme les lettres dans lesquelles ils ouvrent leur cœur à leurs amis, mais c'est dans les lettres de Cicéron que ses admirateurs et ses détracteurs trouvent également les preuves de leurs éloges et de leurs censures. Tout cela prouve combien il est difficile et peut-être inutile de chercher la vérité dans les détails de l'histoire." Notwithstanding the point of this observation, it must be considered but as one among the many instances of undue attachment to brilliant paradox, for which all the writings of Voltaire are remarkable.

evidence with respect to the events of a most momentous era, they rise into still greater importance. Nearly nine hundred letters, by far the greater portion from the pen of the orator himself, but among which are to be found original communications from Cæsar, Pompey, Antony, Brutus, Cassius, Trebonius, Sulpicius, Pollio, and many other master spirits of their generation, constitute a series of trustworthy documents, to which no other period of ancient history, and few in that of modern nations, can furnish a parallel. By means of these the council chambers and hearths of the warriors and statesmen, whose sentiments they record, become easily accessible and familiar ground. The writers themselves, no longer invested with the pomp of epic grandeur, or viewed as "giants of mighty bone and high emprise," shrink from their legendary dimensions, and stand before us with all the ordinary passions and follies of humanity distinctly revealed. The mouldering urn, and the solitary mound, give up their included dust to consistency and life. The busy scenes exhibited in the streets or provinces of imperial Rome, while in the zenith of its power, again arise like gorgeous visions produced by the spell of the necromancer; and so vivid is the picture thus presented of the drama, in which those, upon whose tombs the suns of nearly twenty centuries have gone down, were the principal actors, that we are reminded by it of the fabled city of Eastern Romance; in which, although ages have passed, since its name and the cause of its destruction ceased to have a place in the memory of man, the traveller may perceive, within its silent dwellings, or occupying its long-deserted ways, a numerous population, whose marble forms yet retain the attitude and expression in which they were overtaken by the same mysterious agency; and are still apparently engaged in the stirring employments of active existence.

The observations, which have been already made, with regard to the philosophical writings of the first of Roman moralists, may also be considered, to a great extent, applicable to his oratory; which bears much the same relation to that of his celebrated model Demosthenes, as the principal Latin Epic to the *Iliad* of Homer. Singularly adapted to impress or to persuade; of faultless elegance; and not unfrequently arrayed with irresistible strength, it is still, for the most part, inferior in free and natural power, as well as in lofty and successful daring, to that by which the Athenian endeavoured to rouse the slumbering energies of his countrymen against the insidious policy of the Macedonian oppressor. The presence of art is perceptible in the modulation of almost every cadence, in the structure of every climax and antithesis; and, with all his oratorical excellences, the Roman frequently falls short of the highest—that of uniting simplicity of means with beauty of effect, and of leading captive the minds of his readers, by an unostentatious force. If perfect in harmonious arrangement, moreover, this minor excellence is sometimes gained at the expense of a higher merit. The sublimity—the nervousness—the concentration of expression—which in the orations of Demosthenes make such effectual way to the feelings, are much more rarely exhibited in those of his rival in renown; which reflecting to our imagination the character of the locality in which they were composed, seem obviously to have been meditated rather beside the sunny porticoes and whispering woods of Tusculum, than amidst the hoarse dashing of the waves upon the moles of the Peiræus, or the tumult of billows upon the Sunian shore. It may be added, that the great principles to which the orator of Athens so largely and successfully has recourse, were evidently more partially appreciated by Cicero, whose forensic habits

seem to have somewhat limited, as was natural, his views as an enlightened statesman, and to have induced him constantly to regard in connexion with party, what ought to have been considered in relation to the whole human race. In the hands of Demosthenes, the cause of Athens is the cause of freedom, of civilisation, of mankind at large; the voice of the orator appeals to sentiments as universal as the elements, and as constant as the laws of their operation. With Cicero, the cause of liberty is too often that of the senate and aristocracy of Rome: the re-establishment of which would not have relieved the provinces, groaning under the weight of her intolerable exactions, from a single impost, or stopped for a moment the march of her victorious legions, on their way to fresh conquests. The former history of his country, again, supplied the Greek with a lofty imagery, from which the Latin was necessarily debarred. The glories of the time when Athens stood forth as the champion of every sacred principle, in her memorable contest with the servile ignorance and barbaric force of the Persian monarchs, shed a constant lustre upon his energetic exhortations; and the reminiscences of that illustrious era in the history of the world, throng around him at his lightest summons. To the Roman no such resources were available. From the earliest period of her existence, Rome had been the oppressor, not the deliverer, of nations; those who had fallen around her standards, had fallen in the attempt to rivet the yoke upon such as had never known its weight, not to raise it from the necks of the enthralled; and had Cicero wished, at any time, to imitate the sublime enthusiasm of the great master of his art, who swears by the memory of those who were the foremost to peril themselves upon the plains of Marathon, the whole series of metrical annals at his command, as well as the legendary books of the

ministers of his religion, would have been searched in vain for a parallel to the cited precedent.

Yet whatever the place which various tastes and differing judgment may assign to Cicero among the leading spirits of Antiquity, that he is entitled to rank with the greatest in intellect of former times, admits of no controversy. Nor will his claims upon the gratitude of later generations be easily controverted, or speedily forgotten. That the revival of the study of his writings in the Middle Ages, did much to refine the minds of men to whom they were, with almost a pardonable exclusiveness, presented; and to induce those habits of candid inquiry, and thorough investigation, from which such extensive benefits are derived to the present hour, and will, in all probability, continue to flow till the end of time, may possibly be considered no mean reason for regarding his memory with respect. That his productions enlivened, to a great extent, the gloom and tedium of monastic solitude, when few other resources were available for the purpose, and in those Gothic piles whose external beauty constituted the only lingering reminiscence of genius, tended, in some measure, to nourish the intellectual life which was stagnating and corrupting amidst circumstances so unfavourable to its continuance, may be mentioned as a minor demand upon our regard; as well as the pleasure which the stores of his eloquence have long afforded to the rising generation of Europe, no less than of regions traversed in his day by "rivers unknown to song," and whose wastes were as far beyond the dreams as they were beyond the reach of Roman conquests. In his own country, the recollection of his name occurs almost at every step, in a land thickly strown with mementoes of departed greatness. The stupendous political fabric, to the maintenance of which his life was devoted, and which

in his works is fondly characterised as eternal, has long ceased to exist; but the green shores of Campania, and the wooded crests of the Alban hills, are yet consecrated to his honour. On that formerly imperious Metropolis, the queen and arbitress of the earth, the signs of ruin are deeply engraven. The gilded roofs of the Capitol, once shining like a majestic diadem above the city which they adorned, have for ages crumbled into dust; the stately priest, with the attendant virgin, ascends the hundred steps to the shrines of his fabled gods no more; the grass waves rank in the deserted Forum, and the shattered and time-worn column speaks alone of those magnificent edifices inscribed to Concord, or the Thundering Jove, in which assembled senates once sat to deliberate on the destinies of subject kings; yet the voice of the orator still seems to dwell upon the ear of the traveller—

“ And still the eloquent air breathes, burns of Cicero.”

Such is the exalted power of Intelligence, the distinguishing prerogative of Mind;—the survivor of violence—the victor of decay—unaltered by the lapse of successive generations; and while the features of the material world, no less than the monuments reared by the hands of its fleeting inhabitants, exhibit marks of change, continuing to wear its first aspect of fresh and imperishable beauty.

THE END.

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